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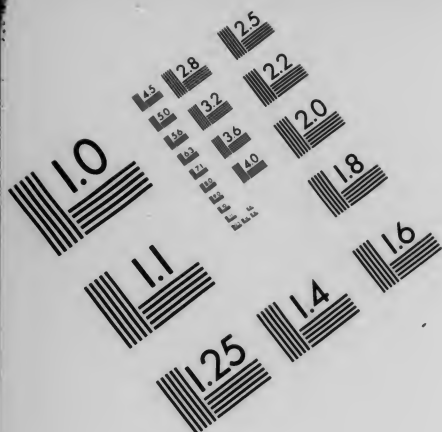
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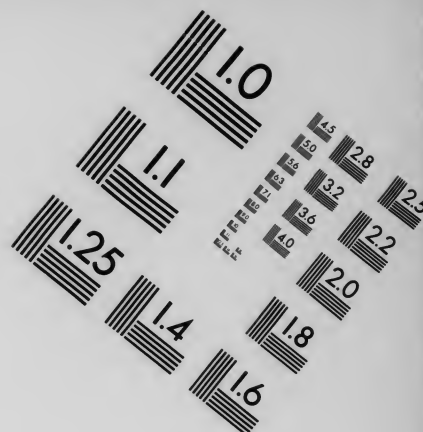


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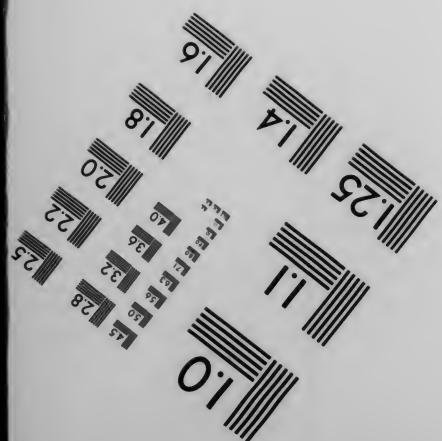
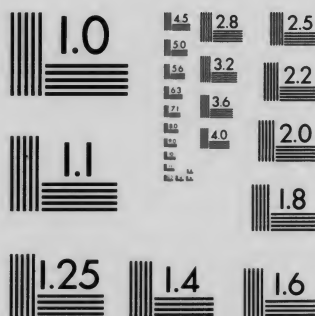
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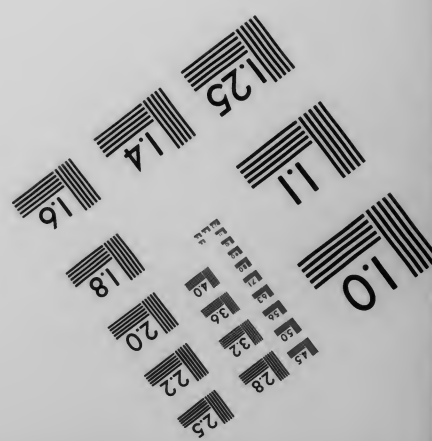
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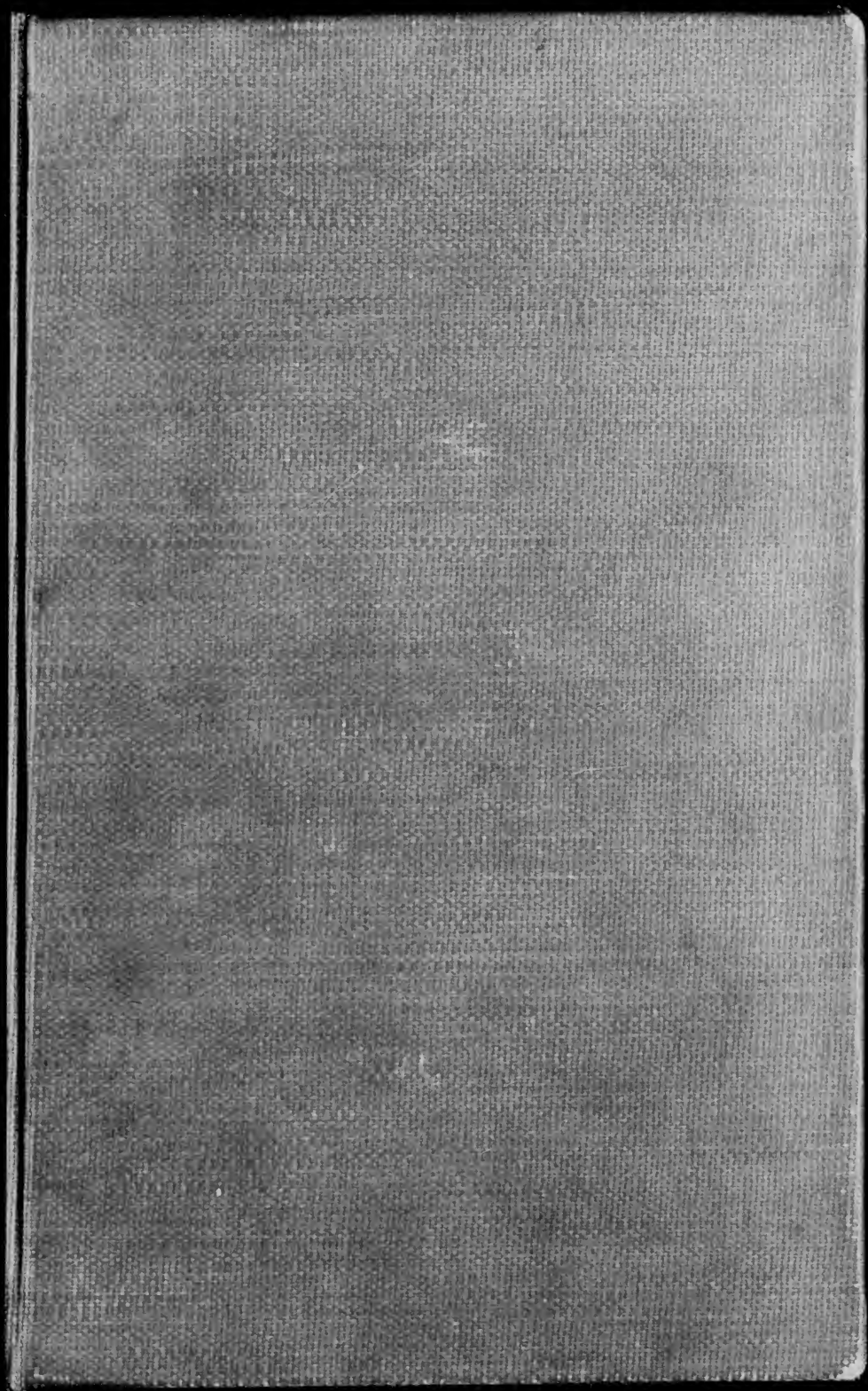


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A HISTORY
OF
THE REIGN OF QUEEN ANNE

A HISTORY
OF
THE REIGN OF QUEEN ANNE

BY
JOHN HILL BURTON, D.C.L.
HISTORIOGRAPHER-ROYAL FOR SCOTLAND
AUTHOR OF 'A HISTORY OF SCOTLAND,' ETC.

IN THREE VOLS.

VOL. I.

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CONTENTS OF FIRST VOLUME.

CHAPTER I.

The Beginning.

PAGE

THE ACCESSION—THE CRISIS AND ITS TRANSIT—PERIL OF THE
ABJURATION BILL—THE EXPIRING PARLIAMENT—THE QUEEN
— HER DESCENT AND KINDRED — HER HUSBAND — HER
FRIENDS—MARLBOROUGH, DUCHESS SARAH, GODOLPHIN—THE
CORRESPONDENCE OF THE GROUP OF FRIENDS — HER CHILD-
LESS CONDITION AFTER THE DEATH OF THE DUKE OF GLOUCES-
TER—THE NECESSITY FOR A PARLIAMENTARY REVISION OF THE
SUCCESSION—THE ESTABLISHMENT OF THE HOUSE OF HANOVER
—HISTORICAL POSITION OF THIS HOUSE—THE CORONATION—
THE PROCESSIONS—THE CEREMONIES IN WESTMINSTER ABBEY
AND IN THE HALL—THE NEW PARLIAMENT—"QUEEN ANNE'S
BOUNTY"—ITS CONNECTION WITH THE QUEEN'S ZEAL FOR THE
CHURCH OF ENGLAND—HOW ITS OBJECT WAS DEFEATED, 1-58

CHAPTER II.

The Religious World.

THE CHURCH OF ENGLAND: HIGH CHURCH AND LOW CHURCH—
THE THREE GROUPS OF DISSENTERS: PRESBYTERIANS, INDE-
PENDENTS, AND BAPTISTS—THE SOCIETY OF FRIENDS, AND
THEIR ENEMIES — WILLIAM PENN — THE PRESBYTERIANS IN

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SCOTLAND—DISSIMILITUDE OF DISSENT IN THE TWO COUNTRIES—REMNANTS OF THE WESTMINSTER ASSEMBLY—UNIVERSITY MEN AMONG THEM—THIS DISTINCTION LOST TO THEIR SUCCESSORS—THE UNIVERSITY AND THE COLLEGE—SOCIAL POSITION OF THE DISSENTERS—NONJURORS—POISH RECUSANTS—TEST AND CORPORATION ACTS—BILL AGAINST OCCASIONAL CONFORMITY—TENDER CONSCIENCES—APPEARANCE IN THE CONFLICT OF “THE SHORTEST WAY WITH THE DISSENTERS”—DANIEL DEFOE: HIS OFFER TO REVEAL HIS ACCOMPLICES—THE EPISCOPAL REMNANT IN SCOTLAND, . . . 59-102

CHAPTER III.

Domestic Affairs.

THE GREAT STORM—DEVASTATION AMONG BUILDINGS—EFFECT ON THE NAVY—EVELYN'S EXPERIENCE IN FORESTS—THE BATTLE BETWEEN THE LORDS AND COMMONS, KNOWN AS THE AYLESBURY ELECTION CASE—ITS GREAT SIGNIFICANCE AS A CONSTITUTIONAL INQUIRY—THE EMINENCE OF THE MEN BROUGHT INTO THE DISCUSSION—ESCAPE OF THE CONSTITUTION FROM THE DANGERS APPREHENDED, . . . 103-123

CHAPTER IV.

International Difficulties.

CAUSES OF DISSENSION BETWEEN ENGLAND AND SCOTLAND—SCOTLAND INCLUDED IN THE NAVIGATION ACT OF THE PROTECTORATE—EXCLUDED IN THAT OF THE RESTORATION—DEMANDS BY SCOTLAND FOR THE OPENING OF FREE TRADE WITH ENGLAND AND THE ENGLISH COLONIES REJECTED—THE PRIVILEGES ENJOYED BY IRELAND AS A DEPENDENCY—EFFECT OF THE REVOLUTION AND THE INTERCOURSE WITH THE DUTCH—SUPREMACY OF TRADE QUESTIONS—RIVALRY OF ENGLAND AND HOLLAND FOR SUPREMACY AT SEA—THE NAVIGATION ACT DESIGNED TO CRUSH THE RIVAL—INVENTION OF BANKING—ITS STIMULUS TO SPECULATIVE COMPANIES—SCOTLAND STARTS THE INDIAN AND AFRICAN COMPANY, OFTEN CALLED THE DARIEN COMPANY—WILLIAM PATERSON—THE COMPANY STARTED IN LONDON AND

EDINBURGH—DRIVEN OUT OF LONDON—THE DARIEN COLONY—ITS CALAMITIES AND FAILURE—THE UNION COMMISSION OF 1702—CLAIM OF FREE TRADE REPEATED BY SCOTLAND—THE QUESTION DROPS—TURBULENT SCOTS PARLIAMENT OF 1703—QUARRELS—THE ACT OF SECURITY—THE LIMITATIONS—THE QUEEN ON THE AFFAIRS OF SCOTLAND, . . . 124-169

CHAPTER V.

The War in the Netherlands and Germany.

TERRITORIES ACCUMULATED UNDER THE SPANISH MONARCHY—DEATH OF THE KING AND THE END OF HIS LINE—GENEALOGICAL CONDITIONS POINTING TO COUNTER-CLAIMS AND WAR—THE AGGRANDISING POLICY OF LOUIS XIV. AND ITS SUCCESS—STIMULATED BY THE WILL OF THE KING OF SPAIN BEQUEATHING THE SOVEREIGNTY OF THE SPANISH DOMINIONS TO HIS GRANDCHILD—DECLARATION OF WAR AND FORMATION OF THE GRAND ALLIANCE—POSITION AND PERILS OF THE DUTCH—DIFFICULTY OF RAISING A FORCE IN BRITAIN—RECRUITING—THE TRADING SPIRIT OF THE DUTCH—DIFFICULTY TO SUPPRESS IT EVEN WITH THE ENEMY—THE RESCUE OF NYMEGUEN FROM THE FRENCH—MARLBOROUGH GOES IN COMMAND OF THE BRITISH CONTINGENT—HOW HE BECAME COMMANDER OF THE ALLIED FORCE—MARLBOROUGH'S SEIZURE OF THE FORTIFIED TOWNS, . . . 170-233

CHAPTER VI.

The War.

(Continued.)

MARLBOROUGH RETURNS HOME—AN ADVENTURE ON THE WAY—THANKS OF PARLIAMENT—DUKEDOM CONFERRED—DEATH OF HIS ONLY SON—THE WARLIKE SITUATION—PECULIAR POSITION AND CHARACTER OF THE ELECTOR OF BAVARIA—HIS CHOICE OF THE FRENCH SIDE AND ITS CONSEQUENCES—VICTOR AMADEUS OF SAVOY CASTS HIS LOT WITH THE ALLIES—THE PERIOD OF INDECISIVE BATTLES AND ITS END—MARLBOROUGH'S PROJECT OF SEIZING ANTWERP AS THE KEY OF THE NETHERLANDS—HOW THE OPPORTUNITY WAS LOST—KING LOUIS CARRIES THE WAR INTO GERMANY—PROJECT OF BESIEGING VIENNA—MARL-

BOROUGH'S DETERMINATION TO INTERCEPT HIM—TAKES HIS ARMY ACROSS THE WATERSHED BETWEEN THE RHINE AND THE DANUBE—DONAUWORTH—STORMING OF THE SCHELLENBERG—JUNCTION WITH PRINCE EUGENE—BATTLE OF BLENHEIM, 234-308

CHAPTER VII.

The Union.

INFLUENCE OF THE SCOTS INDIAN AND AFRICAN COMPANY IN CARRYING THE UNION—ONE OF THEIR VESSELS SEIZED IN THE THAMES—SEIZURE IN REPRISAL OF THE ENGLISH SHIP WORCESTER IN THE FIRTH OF FORTH—BOARDED AND THE CREW SECURED BY THE OFFICIAL STAFF OF THE SCOTS COMPANY—SUSPICIONS OF PIRACY AGAINST THE CAPTIVES—CONVICTION THAT IT WAS PERPETRATED ON ONE OF THE VESSELS OF THE SCOTS COMPANY—TRIAL FOR PIRACY AND MURDER—EXECUTION OF GREEN THE CAPTAIN AND TWO OF THE CREW—LOVAT AND "THE SCOTCH PLOT"—HOUSE OF LORDS' CONDUCT OFFENSIVE TO THE SCOTS—BRINGS ON A QUARREL WITH THE COMMONS—UNION BECOMING URGENT—NEW COMMISSION APPOINTED—COMPLETION OF THE UNION, 309-350

THE
REIGN OF QUEEN ANNE.

CHAPTER I.

The Beginning.

THE ACCESSION—THE CRISIS AND ITS TRANSIT—PERIL OF THE ABJURATION BILL—THE EXPIRING PARLIAMENT—THE QUEEN—HER DESCENT AND KINDRED—HER HUSBAND—HER FRIENDS—MARLBOROUGH, DUCHESS SARAH, GODOLPHIN—THE CORRESPONDENCE OF THE GROUP OF FRIENDS—HER CHILDLESS CONDITION AFTER THE DEATH OF THE DUKE OF GLOUCESTER—THE NECESSITY FOR A PARLIAMENTARY REVISION OF THE SUCCESSION—THE ESTABLISHMENT OF THE HOUSE OF HANOVER—HISTORICAL POSITION OF THIS HOUSE—THE CORONATION—THE PROCESSIONS—THE CEREMONIES IN WESTMINSTER ABBEY AND IN THE HALL—THE NEW PARLIAMENT—"QUEEN ANNE'S BOUNTY"—ITS CONNECTION WITH THE QUEEN'S ZEAL FOR THE CHURCH OF ENGLAND—HOW ITS OBJECT WAS DEFEATED.

On the morning of Sunday, the eighth day of March, in the year 1702, King William the Third died at Kensington Palace. Even to the vigilant members of the Privy Council who were assembled in the palace to watch the event, the moment could not be more distinctly fixed than by the words, "about eight of the clock in the morning." Yet, both by the theory of the constitution and by the statute law

of England, at the point of time when the last breath left his lungs the reign of Anne began—a point as impalpable and indivisible as that belonging both to December and January, accepted by the Christian world as marking the death of the old year and the birth of the new. The councillors present, “after some time, agreed to go in a body to attend her Majesty Queen Anne at her palace at St James’s, to acquaint her Majesty with the decease of the late king.” They at the same time directed the accession to be immediately proclaimed.¹ The Privy Council, in their minute on the occasion, called the dead sovereign “King William the Third of ever-glorious memory.” He was sorely missed by statesmen, who believed in him as the only effective pledge for the Protestant succession. But his was not a death to cause many domestic tears. The embalming and the usual funeral pomp took their course. It was with a certain touch of good feeling that he was laid in the same vault with his wife, Queen Mary, his love for whom was the one romance that brightened a hard nature, and a life of heavy responsibilities and arduous duties.²

¹ Minutes of Privy Council, MS.

² “The estimate for the funeral, when designed ‘from the Princesses’ Chamber next the House of Lords, was £3500;’ but upon other orders given by the Committee of Council for the funeral—viz., the great withdrawing-room at Kensington to be hung with black cloth, the great bed-chamber with purple cloth, a ‘state and canopy of the same,’ a pall and canopy of purple velvet, a chariot that cost £300, eight horse-cloths of purple cloth down to the ground, the great withdrawing-room] at St James’s to be hung with the finest purple cloth, the Yeomen of the Guard mourning liveries, with ‘cawles’ and black fringes for their partisans, crape bonnet-bands, black swords, gloves, &c., with other things not thought of—the estimate amounted to £6268, 7s. 6½d.” —Calendar Treasury Papers, vol. lxxix. No. 100.

On the day of the death, Sunday though it was, Parliament met; and the work of a new reign began. The doctrine that the throne is never vacant—that the sovereign never dies—was not perhaps in logical harmony with a forcible change of dynasty and a parliamentary title which had to be confirmed and proclaimed by a coronation; but in the political conditions of the moment it was urgently expedient that it should prove successful. And it was successful; for no one was ever more effectively swept into the throne by the influence of divine right than the new queen was by her parliamentary title. Yet to all who were high in the political hierarchy there was a mighty crisis; and any possible external symptoms of interruption to the absolute tranquillity of the hour were watched with ardent anxiety.

As the crisis hastened to its climax, the pulsations of excitement and suspense radiated from London over the empire. The settlement of the crown might pass into peaceful reality; but a counter-revolution and a bloody civil war were not expectations to be derided as impracticable and visionary. There was one narrow question demanding a specific answer—Had the Abjuration Bill, for extinguishing the hopes of the Jacobites, received the royal assent?—was it an Act of Parliament? The curiosity that seeks to penetrate to the seclusion of palaces was, as usual, aroused in vain. There were, indeed, some things that it was well to keep shrouded in the dignity of mystery; and many of the secrets of the hour had died with their holders, before it was quite safe to let the world know them. There is thus some interest in knowing that the following morsels of

curious gossip were thought worthy to be preserved among the private papers of the person to whom they were addressed—that person being Daniel Finch, Earl of Nottingham, who, as Secretary of State, shared with Godolphin supremacy in the cabinet in the early years of the new reign. The writer of the paper, whoever he or she may have been, speaks somewhat obscurely and incoherently; but this renders the document all the closer in harmony with the spirit of the moment.

March 10, 1702.

I am to tell you as much as I dare write. In the first place, the Abjuration was passed on Saturday night, in such a manner as never was done in any reign in the world. For the king was in so ill a condition that he could not write his name; therefore a stamp was put into his hand, and that, by the help of others, lifted upon the paper, though the day before it was said he had refused to sign it. When they came to the Lords' House, all but the lord keeper said the king was out of danger; but he of a sudden telling the truth, struck the others to that degree, that if you had been there to have spoke almost anything, they had not been able to have done it. But the truth is, your friends are so enraged to be left, that they absolutely neglected it, when, as Lord D—— says, he is sure it might have been rejected. But Lord Nor[mandy] said it was to no purpose to do anything, for he had nobody to second him; and [it?] will certainly be disputed. Yet if you would come, and as absurd as you think it for it to be now imposed, it has been moved in the House of Commons, because that where the word William is, Anne is certainly now understood. However, I am to tell you that your opposers are so amazed and confounded, that as soon as they are opposed they let all things fall; and there never was such an opportunity to save this nation as now, for all the best party are so transported to have an English queen, that they will agree to all that is for her and her kingdom's interest. Among the mob, where one is concerned

there are forty rejoicing. The Duke of Leeds and Sir Charles Hedges are sworn of the Council; and for a secret I was told by a family that is partly Irish, that the king dying before he had made a new lord-lieutenant, and the commissioner there being by his authority, he remains so still. And he knows it; for since the king died he has in one particular acted by his secretary. Lord W[harton] has been to assure the queen of his zeal for the service, and was received just as he could have wished. One thing I can't omit, which is, that nurse Dod was with the queen yesterday morning, and from thence came to me. She said the queen asked her if my Lord Nottingham was in town; and she saying "No," the queen said she wondered he would go out of town just now; and to show you what an opinion it must give, when she came out the very bedchamber-women asked her why you would go, and said sure you was not against the queen."¹

¹ Hatton Finch Papers, vi., British Museum, additional manuscripts, 29588, f. 14. On the occasion of this, the first of a probably large succession of references to the recent acquisitions in the manuscript department of the British Museum, I think it right to say a few words that may afford a hint to others in search of information. I was certainly astonished to find how rich the collection proved to be in materials peculiar to my own purpose, and equally astonished that their use had not been already exhausted. The value of the collection is not in what are properly termed State Papers, but in the private correspondence of statesmen and other eminences—private correspondence on affairs of State. Of public State Papers we may conclude that all of any importance or significance during our period are already published; and indeed it was the great grief of a reverend gentleman who, a century ago, wrote a history of the reign of Queen Anne, to find that, after toiling for months in the State Paper Office, everything of any significance that he copied had been printed and abundantly used.

It is a feature of such collections as the one I now refer to, that the papers—some of them mere scraps, others of considerable length—are apt to be unsigned. If they reached the person they were intended for, the writer was well known; if they went astray, then it was, on the whole, desirable that the writer should not be identified. Queen Anne's letters are all unsigned, and many of Marlborough's, Godolphin's, and Peterborough's; but the handwriting is, in these and many other instances, easily recognisable. I endeavoured in vain to discover the writer of the letter printed in the text. It was clear only that it must

The new reign announced itself by instant political activity. On the 8th of March, when the Privy Council passed from the deathbed to St James's to attend on the Queen, they were received by her with a royal speech. It was noticed on this occasion, as ever afterwards when she spoke in public, that her voice was soft with a feminine melody, while, at the same time, it was distinct and sonorous.¹ The speech put, in the briefest terms, the proper assurances about the maintenance of the settlement of the crown in the Protestant line, and the preservation of religion, laws, and liberties. But the great point was the commencement of a policy in harmony with the prevailing impulse of the nation—"the importance of carrying on all the preparations we are making

have been some one on familiar terms with so eminent a person as Nottingham. There is a touch of the feminine in its tone.

Affording materials thus peculiarly affluent for the present purpose, it appeared to me that the collection,—revealed in the catalogue in two volumes, published respectively in 1875 and 1877,—of recent acquisitions to the Museum, is full of materials for enriching other periods of British history and history's coadjutor archaeology; such materials, for instance, as chronicles, cartularies, county and other local histories, ecclesiastical and corporate records, registers of courts of justice, and books of heraldry and family history. The value of the collection is enhanced by the skillfully-adjusted and well-sustained organisation for access to the whole. No one can work there without being sensible of the unfailing courtesy of the custodiers of these treasures, and their readiness to assist in rendering them available to every one who seeks them for the purpose of legitimate research.

¹ There was a tradition that Charles II., who was sensitive to beauty in sound as well as sight, having early noticed this quality in his niece, sent her to the best school for its culture. "He ordered Mrs Barry, a famous actress, should teach her to speak, which she did with such success that it was a real pleasure to hear her." This, noted by Speaker Onslow, is confirmed by Lord Dartmouth, who, in reference to her speaking from the throne, says, "I never saw an audience more affected—it was a kind of charm."—Burnet's Own Time, ed. 1833, vol. v. 2, notes.

to oppose the great power of France," specifically declaring, "I shall lose no time in giving our allies all assurances that nothing shall be wanting on my part to pursue the true interest of England, together with theirs, for the support of the common cause." On the 11th she addressed a solemn speech from the throne to both Houses of Parliament. Her concluding words had in them a touch of warmth, as if courting reciprocity: "As I know my own heart to be entirely English, I can very sincerely assure you there is not anything you can expect or desire from me which I shall not be ready to do for the happiness and prosperity of England; and you shall always find me a strict and religious observer of my word."

But the assurance seems to have received more suspicious criticism than reciprocity. Why did she declare her heart to be entirely English? Was it to remind her people that they had been in the hands of one whose heart was entirely Dutch? And yet this slighting criticism was neutralised by another, hinting that the remark was not original and sincere, but adopted from the speech made by her father when his secret designs were inimical to all things thoroughly English. In a celebrated speech on a special supply for the support of his Government he had said, "I cannot express my concern upon this occasion more suitable to my own thoughts than by assuring you I have a true English heart, as jealous of the honour of the nation as you can be."¹ Then, the assurances by the new monarch that she would be found a strict observer of her word were found to

¹ Parl. Hist., iv. 1359.

have a suspicious analogy to her father's reiterated assurances that he would make it his "endeavour to preserve this Government, both in Church and State, as it is now by law established;" and again, when, on a solemn repetition of these words, he had uttered an assurance that the repetition was intended "the better to evidence to you that I spoke then not by chance, and consequently, that you may firmly rely upon a promise so solemnly made."¹

Parliament occupied the few remaining days of its existence in denunciations of certain pamphlets, and sermons preached on the 30th of January, the commemoration day of the execution of King Charles I. Of the mischievous influences that might be aroused by recriminating against a commemoration sermon, we shall in a few years find a brilliant example. Nothing more could be made of the pamphlets than that they were found to hint at dangers to the parliamentary settlement of the crown on the queen; but neither from the substance of the pamphlets themselves, nor in a cross-questioning of those who avowed themselves authors or publishers of the culpable pages, could a distinct announcement of where the danger might be found, be extracted.² There

¹ Parl. Hist., iv. 1351-1353.

² As, for instance, when "the House went into consideration of the paragraphs in the 89 and 90 pages of the said book, which were read as followeth—viz.:

"*Whiglove*.—I find we have miscarried in our great design: the train would not take. We were very hot upon it just before the Parliament met; all the Whig coffee-houses rung, how necessary it was to break into the Acts of Settlement, and to exclude—"

"*Double*.—Mum, Whiglove; talk no more on that subject, I beseech you: fresh orders are issued out, and since we are not strong enough to make it go, we are now directed to say that never any such thing was intended by our party."—Cited from 'Tom Double returned out of

seemed more peril in an articulate story that among the late King's papers there would be found evidence of a plan to throw Queen Anne out of the succession in consequence of dangerous communications that passed between her and her father. By appointment of the House of Lords, an august group of their number examined the King's private repositories for the satisfaction of Parliament, and found nothing to justify the story. The Lords, on this, could only vent their wrath on the distributors of the false story, while they requested her Majesty to order Mr Attorney-General to prosecute, with the utmost severity of the law, the authors or publishers "of the above-mentioned or suchlike scandalous reports."¹

The Parliament that had begun in August 1699, sat to finish the business before it as the fourteenth of William III. and the first of Anne. If there was any peril in the strange conditions of the conferring the royal assent on the Abjuration Act, this item of critical legislation received a strengthening in the necessity for a new Act applying it to a new reign. The logic of the Abjuration Act was, that Parliament having settled the succession to the crown, and demanded that all good citizens should loyally accept the Protestant line of succession, they were required to abjure the Jacobite line in this Act, bearing the

the Country; or, the True Picture of a Modern Whig,' &c. Another of the House's critical attacks was 'The History of the last Parliament, begun at Westminster in the Reign of King William, anno 1700,' of which Dr James Drake admitted himself to be the author. Two pamphlets—one recommending that the Electress of Hanover and her son should be invited into the country, and another professing to denounce the Pretender—were among the productions deemed offensive in their double meaning.—Parl. Hist., vi. 18-23.

¹ Parl. Hist., vi. 7.

expressive title, "An Act for the further security of his Majesty's person, and for extinguishing the hopes of the pretended Prince of Wales, and all other pretenders, and their abettors."¹ The immediate apology for the Abjuration Act was Louis XIV.'s acknowledgment of "the Pretender." It had been adjusted that, in failure of any representative of either of the Protestant daughters of King James, the succession should open to "the excellent Princess Sophia, Electress and Duchess-Dowager of Hanover, daughter of the most excellent Princess Elizabeth, late Queen of Bohemia, daughter of our late sovereign lord King James the First;" "and whereas the French king, in hopes of disturbing the peace and repose of your Majesty and your kingdoms, and creating divisions therein, hath, since the making of the said Act, caused the pretended Prince of Wales to be proclaimed in your Majesty's said kingdom of France by the name, style, and title of James the Third," &c.; and here it may be inferred that the promoters of the Act must have been conscious of adding sarcasm to defiance, since, if we follow the clause to its logical conclusion, it charges Louis XIV. with seizing the opportunity of his being unlawfully in possession of that part of the heritage of the English crown called France, for doing as he did.

This Parliament came to an end in a speech from the throne on the 25th of May. Parliament, indeed, had by a recent statute of its own, adjusted, subject to the sovereign's right of prorogation, the exact duration of its own life. It had become the constitutional rule that the Parliament died with the sove-

¹ 13 & 14 Will. III. c. 6.

reign. But the Revolution and the political conditions of the time had shaken the efficiency of the fiction that the sovereign never dies; and with a preamble referring to "great dangers by the invasion of foreigners or by the traitorous conspiracies of wicked and ill-disposed persons," it is provided that the Parliament in existence at the king's death is immediately to assemble, and to exist "for and during the time of six months and no longer."¹

The definition of persons required to take the Abjuration Oath is an attempt, and a successful attempt, to exhaust the gentry and the educated community. It includes all holders of public offices, civil or military, members of the universities, teachers of youth, clergy of all denominations, legal practitioners of all grades: the only considerable body apparently omitted is medical practitioners not having degrees; but as a general remedy of omissions, the oath might be tendered "to any person or persons whatsoever."²

It was adjusted that the coronation should be performed on the 15th of April; and looking forward to that event, the opportunity may be taken for a brief retrospect of some conditions that give a strong political influence to what, in the ordinary fixed conditions of succession to the crown, is merely an august ceremonial. To count, indeed, that a coronation went for anything more, was an outrage to the absolute doctrine of divine right so influential during the dynasty of the Stewarts. Though Anne acted as queen whenever William by death ceased to be king, yet it is an established fact that the eight successive

¹ 7 & 8 Will. III. c. 15.

² 14 Will. III. & 1 Anne, cc. 6 and 22.

monarchs after the Conquest did no regal act until, in each instance, the coronation sanctioned his admission as monarch.¹ The doctrine that the throne is never vacant, that "the sovereign never dies," was a subtle invention of the canonists for the purpose of conferring on the "divine right" doctrines the conditions and power of an exact science. Genealogy—or the exhaustion of male descendants in the ratio of seniority, then taking female descendants in the same ratio, before working out collaterals in the ratio of their vicinity—was an exact science; and if it was to rule the succession to the throne, then divine right was also an exact science. In the later calm period of uninterrupted hereditary succession the doctrine has met with approval, or at least acquiescence. It is a convenient adjunct to the working of that which really is an exact science—the application of the rule of lineal descent which exhausts the sons or other nearest male descendants according to their seniority, and then does the same by the female.

Queen Anne's accession, however, followed no such abstract rule. Supposing her to have had no brother, King William's short period of sole government as thoroughly broke in upon the hereditary descent of the crown, as if he had not been the nephew of King James and the husband of his daughter. In fact, Queen Anne's reign was part of a revolutionary pro-

¹ This was not generally known in our own country until, in 1830, John Allen published his learned little book, called 'Inquiry into the Rise and Growth of the Royal Prerogative in England;' but it had been announced half a century earlier by the French archæologists—see '*L'Art de vérifier les dates des faits historiques, des chartes, &c.*, iii. 798 *et seq.* The conclusions on this matter are briefly told in the chapter on "Regnal Years of the Kings of England," in the '*Chronology of History*,' by Sir Harris Nicolas.

cess, beginning with the Long Parliament and only subsiding as the house of Hanover became finally enthroned. In all its external conditions, however, Queen Anne's accession was as quiet and uneventful as that of any legitimate successor has been; and it was signally acceptable to the nation at large. A slight disturbance of certain conditions tending to this happy conclusion, might have given civil war and a violent revolution instead of the peaceful succession. There were statesmen alive who remembered the death of Charles I., the Protectorate, the Restoration, and the Revolution; and to all public men these were events perplexing the nation with fear of change. Hence the accession of Queen Anne, if it has not the interest attending on contest and bloodshed, has the interest attending on a narrow escape from these calamities; and the conditions to which the world owes this escape seem worthy of minute attention.

It enhances the critical interest of these conditions that they only postponed the danger—they did not extinguish its causes. While they made the beginning and continuance of her reign easy and popular, events had occurred that limited the happy prospect to herself personally, and for the duration of her life. Already domestic calamities had passed it into absolute decrees of fate, that there were doubts and difficulties in the future, sadly weakening the hope of a final settlement without revolution and bloodshed.

A large body of the British people still believed that the son of King James was in reality what he was called in Acts of Parliament and otherwise, a "Pretender," not born to Mary of Modena, the queen.

With these, since her elder sister's death in 1694, the Princess Anne was the legitimate heir to the throne; and her accession dated not from the death of her brother-in-law, who might be counted a usurper, but from an event a few months earlier—the death of her father on the 19th of September 1701. And so, had any of her many infants lived to make her a happy mother, the Stewart dynasty might have survived her. But, as we shall see, it was otherwise decreed.

There was little in Anne Stewart, either personal or intellectual, calculated, alone and unaided, to arouse interest or command admiration. Yet fate had so ordered that not only her position by birth and rank, but her personal qualifications, whether merits or defects—that, in short, all things about her—were endowed with sources of vast influence on the destinies of the British empire, and, through these, of the world at large. Hence the historian, to do his office properly, must bring the character and position of the new queen to the front, with an amount of precision and detail that might not have been demanded for a sovereign of grander qualities and higher force of personal character.

When the genealogical sequence, giving succession to power or property, is established to the satisfaction of the world, any other element that pedigree can confer, has merely the decorative character of lustre. The value of this will depend on the prevailing habits and opinions of the age, and we shall see that the reign of the Revolution king had created an epoch of hard-working trade and money-making. To those, therefore, who could satisfy themselves that Anne legitimately held the monarchy that her father

had succeeded to, it was of little moment that her mother was merely Anne Hyde, the daughter of one who no doubt was an illustrious statesman, but whose birth was in the rank of the middle class.¹ But if a subject was to be taken into the royal family, it was better thus than if the alliance had been less unequal. Falling to any of the great territorial houses already dignified by royal alliance—such as the Howards, Percys, Stanleys, and Greys—it might have alienated more of the support from that class of potentates than it gained, and might have created general suspicion lest a political power might arise between the sovereign and the other elements of the constitution, aristocratic and democratic. True, it was remembered how Queen Elizabeth had exasperated the great houses by the advancement to the highest offices of “mean persons” from her mother's kindred and their ranks; but the political elements had changed in the lapse of more than a century, and the country had to deal with a woman who, had she been of the daring and despotic character of Elizabeth, could not follow her example. Then the Hyde family, though they had become great, were divided among themselves. The Earl of Clarendon was a steady Jacobite, and, though he took no part in active politics, he declined to take the oath of allegiance to his niece. Her other uncle, Rochester, took, as we shall see, a share, but not a dangerous one, in the service of his niece.

¹ The birth of the queen's grandfather is thus recorded: “The sixth year of the reign of our most gracious sovereign lord King James, ann. dom. 1608. In this year, the two-and-twenty day of February, Henry Hide of Dinton, gent., had a son christened, named Edward.”—Lister, *Life of Clarendon*, i.

On the other hand, it would not have been matter of substantial gratification to the people to boast that their sovereign's mother inherited the blood of a foreign royalty attached to the wrong religion. Three Popish queens in succession had troubled the land with enmities and suspicions. If such a matter crossed people's thoughts, it would tell more against than in favour of Queen Anne, that her grandmother was Henrietta, the French wife of Charles I.

In the year 1683 the Princess Anne had been married to George, Prince of Denmark, the brother of King Christian V. He was forty-eight years old at the time of his wife's accession. The neutrality of his character, and the insignificance of his position, have given him something like a conspicuous place in history, since it is difficult to understand how one not incapacitated by mental disease, in the midst of the temptations to ambitious aspirations so closely haunting him, could have kept so utterly out of the notice of the world. On one occasion only is he known to have taken, or rather proposed to take, a step in active life—it was to accompany King William to the war in Ireland. But the sagacious leader, who knew that the prince's rank would throw him perpetually in the way, would take no such encumbrance to the serious task before him. The one thing for which Prince George is chiefly known to the world, is the occasion when his monotonous stupidity prompted the solitary jest that twinkles through the gloomy career and character of King James; and it came at the gloomiest moment of his days, when his family and kindred were one by one deserting him.¹

¹ "What! is Est-il-possible gone too?" in allusion to the exclamation

But he brought with him a spiritual qualification so valuable in those critical times that it made his treatment of the things of this world a matter of no moment. So far as he could be anything in religion he was a Protestant—a member of the house that

tion by the prince as each desertion was reported. See the story at length in Macaulay's ninth chapter. If utterances like the following got notice and sympathy among those who had the destinies of the empire in their hands, the appropriate disposal of Prince George must have been a troublesome affair:—

"To begin with his Birth—Prince George of Denmark is second son of Frederick III., late king of Denmark, and Uncle to Christiern V., the present king. He was born at Copenhagen in April 1653, and in 1668 he went to Travel into several parts of Europe.

"As he came into the World with all the advantages of a Royal Birth and Education, so he has rendered both yet more conspicuous by his matchless Vertues. By these (tho' he is not crown'd) he hath a Title to all our Hearts.

"Thus the morning of his Life was clear and calm; and ever since, his whole Life has been a continued Series of Heroick Actions; which he began so Early that he was no sooner nam'd in the World but it was with Joy and Admiration.

"Even the first Blossoms of his Youth paid us all that could be expected from a ripening Manhood; while he practised but the Rudiments of War, he out-went all other Captains; and has found none to surpass, but himself alone. The opening of his Glory was like that of Light. He shone to us from far, and disclos'd his first Beams on distant Nations. He Fought several Battles in Denmark, Sweden, Ireland, &c. And wherever he charg'd in Person, he was a Conqueror. To describe all his Victories would require a Volume;" and so forth.—The History of Living Men, or Characters of the Royal Family, the Ministers of State, and the Principal Natives of the Three Kingdoms; being an Essay on a Thousand Persons that are now living, with a Poem upon each Life. Dedicated to his Royal Highness Prince George of Denmark. P. 33 *et seq.*

In the days when the penalties of sedition applied to any words tending to bring disparagement or ridicule on rulers and potentates, such a passage as this could surely have been proved to be seditious. Doubtless there is no case precisely in point, but strangely enough the arguments supporting Defoe's conviction for "The Shortest Way" fully apply to the logic of such a case—viz., that the words profess to be uttered in a just and commendable cause, but by their hyperbolical exaggeration they tend to arouse contempt instead of approval and respect.

had sent to Britain a Protestant queen, the wife of James I., followed by three successive Popish queens.

It seemed to be thought necessary that something in the shape of official dignity should be conferred on Prince George, and he was elevated to that of "Generalissimo of all her Majesty's forces by land and sea." The etymological structure of the title is questionable, and it had no practical meaning; for there was no precedent for any powers or duties attached to an office so named.

A time had been, however, when George of Denmark might have been a mighty person, as the sire of a line of sovereigns. Again and again that hope seemed realised, only to be blasted, plunging the public life of England into ever-renewed anxieties. The country had seen the two Protestant daughters of King James married—the elder twenty-one years old, and the younger nineteen. The hope attached to Queen Mary died gradually away; but throughout the married life of her sister, while she was yet the Princess Anne, the hope had revived over and over again, only to be blasted. The promised children were so numerous that it is a question whether there were more than seventeen. Of those who existed long enough to die with the names they were baptised in, there were six—Mary, Ann, Sophia, William, a second Mary, and George.

One of them, William, created Duke of Gloucester, lived for eleven years. His death in 1701, when Queen Mary had been four years dead, was such a political catastrophe as those only who remember the death of the Princess Charlotte can in some degree realise—in some degree only, for the death of the

princess did not devolve on the statesmen of 1818 the perilous duty, to be presently recorded, of searching the world for a successor to her inheritance.

This boy was one of the instances occurring from time to time, when the fate of millions seems to be bound to one fragile life. As the endurance of that life was momentous, so there was a general concentration of all eyes and thoughts upon the boy's health and progress. For a few years these gave confidence to the national hopes. People heard of his precocious capacities—his thirst for knowledge, and his marvellous capacity of acquiring it. He promised to be a hero as well as a sage. His chief enjoyment in the intervals of his studies was in drilling and reviewing a regiment of boys of his own age. He had a small park of artillery, and the other military playthings beloved by the boy in whom the nature of the ardent soldier is growing. Tales were told of tournaments and sieges in St George's Hall—one where the prince received a wound and absolutely bled. He was likened to Prince Henry, the eldest son of King James I.; and when he died, it was remembered how this elder brother of his grandfather might, had he lived, have averted the disasters that so long desolated the land. But the two were very different. Henry was a robust and ardent athlete; but with Anne's only son the mimicry of a soldier's life was but the imparting of some touches of incident and variety to the lethargic life of an unhealthy boy.

Perhaps acting the soldier and the hunter was a wholesome variation of the dreary routine of mental discipline under a succession of teachers, each endeavouring to pour into the child's intellect the whole

bulk of his own pedantic learning; but the story leaves a painful impression that, had the boy been let alone, he might have lived to be a good king.

Bishop Burnet, who was chief among his instructors, thus describes his own contribution to the child's acquirements: "I went through geography with him. I explained to him the forms of government in every country, and the interests and trade of that country, and what was both good and bad in it. I acquainted him with all the great revolutions that had been in the world; and gave him a copious account of the Greek and Roman histories, and of Plutarch's Lives. The last thing I explained to him was the Gothic Constitution, and the beneficiary and feudal laws. I talked of these things at different times nearly three hours a-day."¹

On the 24th of July 1700, the tenth anniversary of his birth was celebrated with due splendour. "After the ceremony was over, the Duke found himself fatigued and indisposed, and the next day he was very sick, and complained of his throat; the third day he was hot and feverish." On the 29th, "the physicians who attended him thought it probable that he might recover; but about eleven at night he was upon a sudden seized with a difficulty of breathing, and could swallow nothing, so that he expired before midnight, being ten years and five days old."²

¹ Own Time, ii. 211.

² There is a portrait of the Duke of Gloucester by Kneller, well known through an engraving by Houbraken. It has not the fulness inherited by his mother from the Hydes, and has more resemblance to the known portraits of the exiled Stewarts than to those of the boy's ancestors. It has a strong likeness to the portraits of his uncle, "the old

So by the death of an unhealthy boy the destinies of a mighty empire were set adrift. The uncompromising bigots of the divine right of kings, with sensations akin to exultation, saw here the dispensation of a quick and terrible judgment on the violators of a sacred law. Even those who had rejected the Popish and accepted the Protestant Stewart as a compromise, were uneasy, and remembered the conduct of Queen Anne at the period of her father's flight.¹

A generation trained in the belief that no other dynasty throughout the world is so firmly rooted as

Pretender," taken in youth; but with a like physical debility there is more intellectual spirit. A portrait of the mother and child by Dahl is, or recently was, in the National Portrait Gallery at South Kensington. There is an honest touch of the natural in its whole tone, refreshingly in contrast with the conventional State pictures of the period. It is attributed to the year 1695, when the boy was five years old. His face is delicate, but not unhealthy. There is, however, this peculiarity in it, that the eye catching it without premonition is apt to take it for the likeness of a girl.

¹ The belief that the death of Queen Anne's children was a judgment on her for her conduct to her father, lingered down to the present century, and appeared occasionally in quarters where it might not be expected, as, for instance, the following: "Every feeling of the heart rises in indignation against the unnatural deed, and seeks to hide it in that blaze of light which encircles the brilliant events of her reign. If heaven in this world ever interposes its avenging arm between guilt and happiness, may we not consider the loss of seventeen children as the peculiar penalty which it exacted from a mother who had broken the heart of the most indulgent father?" This passage will be found in the Edinburgh Encyclopædia, conducted by David Brewster, LL.D., under the head "Anne" in the alphabetical arrangement.

The following passage is found in a quarter more congenial to such utterances: "Queen Mary II. and Anne, though apparently prospering in the sight of men, were not allowed to go unpunished by the just vengeance of God. Of Anne's seventeen children, not one survived to inherit the guilty parent's coronet."—The Descendants of the Stuarts: an Unchronicled Page in England's History, by William Townend (1858), p. 58.

the house of Hanover, has difficulty in realising the influence of one calamity treading on the heels of another; and how the "fear of change perplexing nations" drove statesmen, as well as those less highly endowed, to desperate or desponding conclusions. But if any of those who profess to penetrate and announce the secrets of omniscience were to argue from results, instead of classifying the calamities of the period as a judgment for sins and follies, it would be a more rational conclusion that they were administered in order that a great people might have the satisfaction of overcoming all, and of proving the flexibility as well as the strength of their political institutions.

With this death the fruits of the Revolution Settlement were lost, and its work had to be done over again. It stimulated the leaders of the party to rapid and decided action, that ominous events were reported from abroad. Louis XIV. had formally recognised the claim of the Pretender, and the quarrel that led to the war of the Spanish succession had broken forth. In a new settlement of the succession, the boy who had been sedulously trained at St Germain by monks and Jesuit fathers was not to be named, save in oath of abjuration and sentence of attainder. There was, then, a process unparalleled in any legislative assembly, alike for its boldness and the cold logic of its method,—an exhaustive analysis of the royal family in all its branches, until Parliament should reach the precise object it was in search of—a Protestant line. The promoters of this object determined to leave as little as possible to the intervention of accident. Since they were again to change

the line of descent, let them do it securely, however far they went from home to achieve that object. It would not be securely achieved by offering the crown to any near relation of the Stewart family that would engage to live and die a Protestant. The monarchies of Europe were divided between Papal and Protestant dynasties; and it was in one of this latter, with its Protestant traditions of policy and alliances, that safety lay.

Next to the direct line were the descendants of Henrietta, the only daughter of Charles I.? She was married to the King of Sardinia, and their descendants ramified through other Popish dynasties, including the royal families of France and Spain. It was necessary, therefore, to go a generation further back, and look to the descendants of King James, through his daughter Elizabeth, the unfortunate Queen of Bohemia. Of these, the first in order was the granddaughter of Elizabeth, married to the Duke of Orleans, and again running the search into the most dangerous of all quarters—the Popish and despotic monarchy of France, the "natural enemy" of Britain. Six other families of this line had to be passed over, until at last the analysis reached Sophia, Duchess of Hanover, a Protestant, the widow of a Protestant, whose son, also a Protestant, was forty years old, and a good soldier—a desirable recommendation to the destiny opened to him. Had no house properly qualified been found among the eight dynasties descending from the daughter of King James, the analysis must have gone back to the descendants of Henry VIII.

The momentous enactment creating the new dyn-

asty is in these simple terms: "Be it enacted and declared by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that the most excellent Princess Sophia, Electress and Duchess-Dowager of Hanover, daughter of the most excellent Princess Elizabeth, late Queen of Bohemia, daughter of our late sovereign lord King James the First, of happy memory, be and is hereby declared to be the next in succession, in the Protestant line, to the imperial crown and dignity of the said realms of England, France, and Ireland, with the dominions and territories thereunto belonging, after his Majesty and the Princess Anne of Denmark, and in default of issue of the said Princess Anne and of his Majesty respectively."¹ The clause is hidden among the many details of "An Act for the further limitation of the crown and better securing the rights and liberties of the subject," some of these being "rights and liberties" held to have been especially infringed by King William.

Few measures carry on the face of parliamentary record so little aspect of a party triumph, of a conflict and a victory. It was quietly passed as an inevitable affair of routine; and it was observed at the time that the Bill went through the usual stages in thin Houses. But all had been settled outside. Either it must pass as a matter of necessity, or it must be abandoned until a better opportunity came, probably as the result of a new revolution. To have opposed it would not have been merely the legitimate tactic

¹ 12 & 13 Will. III. c. 2.

of a usual parliamentary Opposition; it would have been a declaration of civil war.

Long after the crisis had passed away, there arose, even in the hearts of the devotees of divine right, a sense of legitimate security in the dynastic conditions of the throne. The conditions that superseded the Plantagenets by the Stewarts were certainly legitimate; but they were not satisfactory to Englishmen, who did not believe in "Father Fergus of a hundred kings," and could only carry the race of Stewart to the chief domestic officer of a sovereign of far inferior race to the Plantagenets—a sovereign whom, indeed, these claimed as a vassal. But the lustre of the Plantagenets had been tarnished by Elizabeth, whose mother was a commoner. Queen Anne brought the same blemish to the inferior race. Her mother, Anne Hyde, was respectable and respected. She had kept "the whiteness of her soul" under conditions that tripped others of far loftier birth. She was the Pamela of the palace—a lively instance of "virtue rewarded;" but this was no equivalent for the lustre of royal blood.¹

¹ Such a union was not likely to be achieved in cloudless serenity; and indeed the storms it raised around the Court sadly disturbed the sunshine of the Restoration. Foul accusations were invented to blast the lady's fame, and had their oscillations of credit and utter contradiction. By a strange inversion of the conditions to be naturally anticipated, the charges got encouragement from her father; while her fair fame was upheld by the young King Charles, whose notoriety as a selfish voluptuary deserves to be lightened by this redeeming feature. The father's conduct was that of a man whose intellect is disordered by astounding revelations. For the calumnies, if they were true, "he would submit to the good pleasure of God. But if there were any reason to suspect the other"—that is, that his daughter was stainless and honestly married to the prince—he said to the Lords Ormond and Southampton, who had been sent by the king to soothe his irritation, "he was ready to give a positive judgment, in which he hoped their Lord-

The sovereign qualification was, however, restored to the realm in its highest purity in the descendants of the Guelphs, passing back through the house of Este to connect themselves with some of the illustrious Roman Gentes. The new dynasty was, indeed, by centuries, older in history even than the Plantagenets. It was natural to find that a race early renowned among the German potentates whom the aggrandisement of Charlemagne incorporated with the old Roman empire, could count an ancestry of credit and renown more remote than the races of the North seas, whose introduction to Central Europe was as marauders, attracted by rapacity for the wealth accumulated through ages of civilisation.¹

ships would concur with him, that the king should immediately cause the woman to be sent to the Tower, and to be cast into a dungeon, under so strict a guard that no person living should be permitted to come to her; and then that an Act of Parliament should be immediately passed for cutting off her head; to which he would not only give his consent, but would very willingly be the first man that should propose it."—*Life of Clarendon*, i. 378, 379.

¹ We shall not easily find a more brilliant antithesis to the truth in history than the doctrines about the Hanover succession, nourished—and where that was safe, promulgated—by the Jacobites a hundred and fifty years ago. They arose in pure sincerity—the growth of imperfect methods in archaeological inquiry and in the teaching of history. The dignity of the Electorate was not palpable to those whose knowledge of political institutions was limited to their own country, with a smattering from Greece, Rome, and perhaps France; and it was a title very open to depreciation. This process naturally culminated in Scotland, through comparison with the illustrious race of Fergus. It found expression in the mingled wailings and execrations of "the Jacobite minstrelsy," where, in a sort of bathos of political comparison, it was found at last safe to hold that the Elector of the Empire was something akin to the Scots laird who held of the Crown: and once in the category of laird, the reduction to a humble grade of lairdship was simple—as, for instance:—

"Wha the deil hae we got for a king
But a wee, wee German lairdie?
And whan we gaed tae bring him hame,
He was delving in his kail-yairdie."

The queen's relations on the mother's side neutral in politics by their position and opinions, her husband neutral by the limitation of his capacities, her children all gone, and those who looked to the heritage of her empire selected from among distant strangers, there was a peculiar isolation in her position; and hence, perhaps, it befell that the queen's personal friends had far more influence on the destinies of her reign, than her husband or her nearest blood relations. If the pages that are to follow tell the accurate truth, this influence will be conspicuous in the tenor of our story. The growth of her friendships is touching in itself, as an effort to find something in the world dearer than greatness and power, and to enjoy a little of that simple life—so hard to be reached from the steps of the throne—where friends can confide their thoughts and aspirations to each other without their being trumpet-tongued by the unscrupulous parasites that haunt the steps of royalty. And if it was a weakness, it was grandly exercised—it gained for the recasting of Europe that one whose name is yet the greatest among warriors,—if we count in our estimate only those whose science and achievements we know with sufficient distinctness for comparison. It secured the greatest financial minister that ever ruled Britain; and it was said—and apparently is true—that Marlborough, who had a powerful insight into character, would only undertake the command of the army if Godolphin were at the treasury to find and pay the money necessary for the effective support of the war. And yet, by the nation gaining both safety and glory through this, there was found in it the taint not only of royal

favour, but of "a family arrangement;" for the lord high treasurer's son and heir was married to the soldier's daughter and heiress, and it was in Godolphin's line that the honours gained by Marlborough were to last.

Every one who has glanced, however slightly, over the history of this reign, becomes familiar with the name and power of Marlborough's wife, the mighty Duchess Sarah. The extent of the power held by her in Court and Council is one of the points demanding caution in dealing with the history of the period. It has many of the attractions of romance, creating a tendency in the seekers of the picturesque to foster it, till it becomes to the historical critic something like what the gardener finds in some classes of plants endowed with a rank prolificness that disturbs the harmony of his distribution.¹

¹ Take, for instance, the 'History of Great Britain from the Revolution in 1688 to the Accession of George I., translated from the Latin Manuscript of Alexander Cunningham, Esq., Minister from George I. to the Republic of Venice:' 2 vols. 4to (1787). Within the palace the reign opens thus (i. 258): "The queen, by the advice of Marlborough, who had now the chief direction of affairs, and made no difference between those who attended and those who did not, readily excused all such persons as through excessive grief or regard to decency did not appear that day at Court. From this circumstance men presaged everything from the hands of the queen that was fair and honourable.

"In the first place, care was taken by public proclamation to order all things to remain in the same state as they were in the time of the late king. The queen commanded her magistrates and people to continue in their duty as before, till such time as her Majesty should nominate and appoint other magistrates, and give fresh directions for the government of the kingdom by her own authority. But within the palace itself there was a very busy market of all offices of Government. For the queen's relations being kept at a distance, all things were transacted by the sole authority of one woman, to whom there was no access but by the golden road; and it was to no purpose for the Earl of Rochester to set forth his own fidelity, duty, affection, and the rights of consanguin-

The best authority sets down that the marriage of Colonel John Churchill with Sarah Jennings "must

ity." To the word "woman" the editor of the book appends in a note "The Duchess of Marlborough." Then in the index, under the head of Anne, he has, "Great influence the Duchess of Marlborough possessed over her, i. 258." Then there is, "Marlborough, Duchess of, her great influence over Queen Anne." Since so much meaning depends on the words "one woman," it would have been desirable to see the passage in the original Latin.

A sketch of the power of Sarah Jennings over the destinies of Europe, by an eloquent French historian, may amuse us by its antagonism to our own associations with the character of the British constitution; and yet in the historical facts referred to it is not easy to deny that, as his countrymen say, the author has reason. The death of King William is supposed to have made King Louis comfortable. He was still girt for the great contest, were it necessary; but he was old, and preferred rest—and it seemed to have come. The Dutch, if not backed by England, would be easily settled, and the emperor was too poor to remain in the field without subsidies from England:—

"Mais la nouvelle Reine Anne étoit une femme foible et sans caractère; mariée au Prince George de Danemarck, homme plus insignifiant encore. Elle se livroit toujours aveuglément à quelque confidente qui acquéroit sur son esprit un absolu pouvoir. Elle étoit alors dominée par Sarah Jennings, femme de John Churchill, Comte de Marlborough, que Guillaume III. avoit, dès le premier juin précédent nommé commandant en chef de toutes les forces dans les Provinces-Unies, et son ambassadeur auprès des États Généraux. . . . La Reine Anne le confirma dans les deux fonctions que lui avoient données son beau-frère; elle forma en même temps un ministère tout composé de ses amis et à la tête du quelle elle plaça le grand Trésorier Lord Godolphin. Ainsi une intrigue de femmes donna à l'Angleterre son plus grand général, et la plus haute gloire militaire à laquelle elle se fût encore élevée."—Sismondi, *Histoire des Français*, xxvi. 328, 329.

Few women unambitious of renown in authorship have spoken to the world through the printing-press so amply as Duchess Sarah has. There is first the 'Account of her Conduct,' edited by Nathaniel Hook in 1742, occasionally cited in these pages. In the same year there were published 'A Review of a late Treatise entitled "An Account,"' &c.; 'A Continuation' of this Review; 'A full Vindication of the Duchess-Dowager of Marlborough;' and 'The other side of the Question.' In 1744, 'Memoirs of Sarah Duchess of Marlborough;' and in 1745, 'The Life of the Duchess of Marlborough, with Remarks upon her Will.' After the lapse of nearly a century there comes a revival of interest demanding more of the same course of literature. In

have been in the beginning of 1678.”¹ We must assign to that period the rise of his favour with the Princess Anne, for she and Sarah began their intimacy as playmates. Between Queen Mary and her sister there was a strange and somewhat mysterious quarrel—mysterious indeed, not from its secrecy, but its odd publicity, making the reconciliation a State affair. We find that Charles Hatton, on the 24th of August 1693, writing in London, after telling the “terrible news from Flanders,” the battle of Steinkirk, the king wounded, and the Duke of Ormond missing, goes on, “the great news is, the two great sisters are reconciled, and my Lord Churchill hath—as report saith—effected it; and that for his reward he is to be declared General of the Forces. The Princess of Denmark this day made her visit to her sister. For joy of the reconciliation, the bells—which have all this summer been very silent—ring very merrily.”²

Marlborough was more than fifty years old when the curtain rose on the mighty theatre where he was to be the chief actor. He had achieved a social reputation by his manly beauty and the charm of his

1838 we have in two portly volumes the ‘Private Correspondence of Sarah Duchess of Marlborough, illustrative of the Court and Times of Queen Anne, with her Sketches and Opinions of her Contemporaries.’ ‘Memoirs of Sarah Duchess of Marlborough and of the Court of Queen Anne,’ by Mrs A. T. Thomson: 2 vols. 8vo (1839). ‘Letters of Sarah Duchess of Marlborough, now first published from the Original Manuscripts at Madresfield Court, with an Introduction:’ 8vo (1875).

Perhaps as affluent in interest as the whole array of bulky volumes here noted is one of minute dimension, edited in 1788 by Lord Hailes, called ‘The Opinions of Sarah Duchess of Marlborough, published from Original Manuscripts.’

¹ Coxe, i. 11.

² Hatton Correspondence, ii. 195.

accomplishments. The great high priest of “the graces” bowed to him as one endowed with these crowning glories of human perfection.¹ There were stories abroad—more or less pungent, according to the genius of the narrator—of his having in his early days set his power of fascinating the female heart to purposes that would be counted discreditable to any young gentleman trained in a well-ordered home of the present day. Many difficulties impede any inquiry whether these are true or false, the chief difficulty being that in their day such accusations lay so lightly on a courtier’s character that there would have been a puritanical pedantry in seriously contradicting them. The prevalence of the same spirit must, if they be true, furnish a palliation for them; and we must make allowance for a youth trained in the profligate Court of Charles II., as we make allowance for the young criminal trained in the rookeries of thieves and prostitutes. When the victim of such training

¹ Chesterfield handed down to posterity his judgment that Marlborough “possessed the graces in the highest degree—not to say engrossed them.” “He had no brightness, nothing shining in his genius. He had most undoubtedly an excellent, plain understanding, and sound judgment; but these qualities would probably have never raised him higher than they found him, which was page to James II.’s queen. But then the graces protected and promoted him.” The graces were Chesterfield’s stock in trade, made in his own manufactory, where the pure, nude, raw material of the Grecian “Charites” was, by aid of paste, pomatum, powder, and lace, converted into the person presentable to good society. Chesterfield’s judgments may therefore be taken as the trader’s exaggerated estimate of his own article. The same kind of estimate was much better expressed by Hoby, the illustrious London bootmaker, when he attributed the successful career of the Duke of Wellington to the sound appreciation that prompted him always to wear “Hoby’s boots.” The exquisite fitting of these had no doubt an influence in relieving the mind from disturbance by uneasy sensations in the body.

shakes off its slough, and comes into the honest light of day, making himself a good citizen by the force of his own character, he justly earns the applause of men; and this should not be denied to one shaking off degradations, though these had polluted a higher sphere of life. Marlborough was a faithful husband, and dearly loved his beautiful wife, who had now been his own for twenty-five years. She was the only earthly being who affected him with anything of the nature of fear. It was not such as in her fits of furious passion she scattered around her in her sovereign's Court. It arose out of that deep sense of thankfulness in believing himself to be the sole occupant of her ardent heart: and it was a belief tinged with the misgivings arising in the very preciousness of a blessing lest it might some time be lost—lest fervid love might cool into indifference; and in that cynical and mocking circle where their early wedded life was spent, indifference was in good taste, and was a trifle among the casualties that might befall the husband of a beautiful wife. If one feels an inward satisfaction in following and recording so grand a career as that of Marlborough in the reign of Queen Anne, it is also a satisfaction not to be responsible for an investigation and final estimate of his conduct throughout the twelve previous years. It seems lawful, however, to remark, that his bitterest accusers have drawn on old principles of personal fidelity not applicable to a large body of the statesmen of the period. King William himself signally exempted him from the application of this rule of political ethics by appointing him to two offices of transcendent trust—the one where the destinies of Europe

were in his keeping as the representative of Britain in the Grand Alliance, the other as governor and tutor to the child who was heir to the throne.

With legitimists such as the old Jacobites—if we have any such among us—the revolutionist is condemned by his one act. He cannot make himself worse as an “apostate from his own vile creed”—nay, he may have some claim to be credited with penitence. The legitimist is bound to the absolute laws of an exact creed: the revolutionist claims freedom of choice; and if he has made a mistake in one selection, he may try another. But it is one of the calamitous results, that must always make grave men pause on the border of political convulsions, that a revolution takes generations for its firm completion. It is pleasant to be relieved of the responsibility of testing the evidence for the charge against the young officer of having revealed to the Jacobites the expedition against Brest in 1694, and hence causing the fatal slaughter of many of his companions in arms at the Bay of Camaret. It would be an endless element of confusion in political morality were we to burden the consciences of statesmen and soldiers with the blood that their conduct may have drawn; but of this difficulty we are relieved by the knowledge that many others had given intimation of the intended descent, and among them Godolphin.

Regarding Marlborough's political conduct and war-like career we have throughout abundant information. We see, also, what he was as a husband and a father; but we have scarcely any admission to him in his social circle. In this very silence, indistinctly broken by such vague generalities as Chesterfield affords to

us, there is a sort of silent hint that he was not one who bore his "heart upon his sleeve." Evelyn says of him that "he is a very handsome person, well-spoken and affable, and supports his want of acquired knowledge by keeping good company."¹ But the genial discourser on sylvan life and beauty gives us something infinitely more valuable in a brief note of a casual meeting with the rising warrior. On the 9th of February 1705, after noting his eightieth birthday, he says: "I went to wait on my Lord Treasurer. There was the victorious Duke of Marlborough, who came to me and took me by the hand with extraordinary familiarity and civility, as formerly he was used to do, without any alteration of his good-nature. He had a most rich George in a sardonyx set with diamonds of very great value: for the rest very plain. I had not seen him for some years, and believed he might have forgotten me."²

Between Marlborough and Sidney Godolphin there had been at the commencement of the reign a long and close intimacy. In the year 1698 they became allied by marriage—Francis, the only son of Godolphin, taking to his wife the Lady Henrietta Churchill. The event is significant, as carrying evidence of the interest taken in it by the Princess Anne. She desired to endow the young couple with a gift of ten thousand pounds; and we are told that "the Countess of Marlborough would not, however, accept more than five thousand, though the establishment of the young couple was ill adapted to their rank."³

If to these domestic adjustments we are to attribute Godolphin's career as a statesman, we are in-

¹ *Memoirs*, ii. 78.

² *Ibid.* 84.

³ *Coxe*, chap. vii.

debted to them for the greatest master of finance and pecuniary economy that ever held rule in Britain. He was attached to the Treasury in the reign of Charles II., and there he found the true sphere for his genius. He brought much scandal on himself by his active co-operation in drawing the subsidy from France; and it could be no vindication of the political baseness of that affair, that he loved the national treasury as a miser loves his hoard, and might not too scrupulously examine the sources whence it was fed. He was not—according to the practice that had become usual, and is now a fixed principle of the constitution—placed at the head of a commission as First Lord. To give power and dignity to his position, the old State office of Lord Treasurer was resumed. He did not repose on his dignity, but was eminently a hard worker—never letting the most trifling item of expenditure pass unexamined if it involved a principle or opened a novel source of expense.¹

¹ Whoever desires to study with minuteness Godolphin's practice at the Treasury, will find abundant materials for his purpose in the two volumes containing the 'Calendar of Treasury Papers' from 1697 to 1707, contributed by Mr Joseph Reddington to the collection issued by the Master of the Rolls. Marlborough's name is of frequent occurrence, but anything connecting it with undue favour will be looked for in vain. He may possibly, on the other hand, find evidence that the mighty influence of Marlborough was not strong enough to break through a Treasury rule. The "Cardonnel" who appears in the following was Marlborough's secretary and close personal friend: "A Petition of James Cardonnel to the Lord High Treasurer." He had purchased the place of Court Post from William Van Hulse, Esq., which he desired to resign in favour of Henry Andrews, Esq., son of Sir Matthew Andrews, praying that a patent might pass from the same. There is also a memorandum reminding his lordship that the Duke of Marlborough had prayed his lordship's favour to do the same.

"*Minuted*, 14th August 1704. My Lord Treasurer conceives there is intended to be a pecuniary consideration for the parting with this

It is usual to speak of Godolphin as a heavy-built, lumbering, phlegmatic man, in intellect an exception to the abounding wit and versatility of the statesmen of Queen Anne's day. There is an unlucky tendency to promote this opinion in the one portrait whence his aspect is generally known. It is engraved by Houbraken from a painting by Kneller, and being one among the "heads of illustrious persons" published by Birch, it has been the natural source whence engravers of historical portraits have taken their ideas of the Lord Treasurer. It certainly has an aspect of the pompous solemnity unbrightened by intellect that is popularly supposed to be the attendant of corporate eminence; and this tone is enhanced by his holding the mystic symbol of his office—the Treasurer's white wand. The form and expression of his countenance seem to be more distinctly marked for us in marble among the monuments of Westminster Abbey. Stone is not so apt as canvas to give us the niceties of expression; yet here there is a decided tone of high breeding—or, as it is otherwise expressed, of blood and culture. The uneuphonious name of Godolphin has been traced by etymological genealogists to certain words of Celtic origin signifying a white eagle. The association of this derivation with the grave Lord Treasurer makes a

place; and her Majesty has made an order that no place shall be sold."—*Calendar of Treasury Papers*, p. 289.

On 7th March 1706 there is issued a "warrant of the Chamberlain of the Household to John Charletin, Master of her Majesty's Jewel Office, for the supply of a new silver trumpet to Mr John Seignier, trumpeter to the third troop of Guards, who was appointed to attend on the Duke of Marlborough abroad this campaign." This bears an indorsement testifying to the minute scrutiny of Godolphin: "Query, what's become of the old one?"—*Ibid.*, p. 422.

ludicrous antithesis, since its appropriate application would be to some vaunting Roderick Dhu or ferocious Irish chieftain.

As the communion between the Queen and the Duchess was to be absolutely free by disentanglement from all courtesies of etiquette, it was decided that this could be best accomplished by the use of fictitious names, expressive of the equality of the untitled—the Queen to be Mrs Morley and the duchess Mrs Freeman. If by an act of her royal will the queen decreed this plan of masquerade, she effectually abolished the etiquettes of precedence without leaving an excuse for insolence. We thus understand what was uttered to the Duchess at a time when Marlborough threatened to resign his command: "As for your poor unfortunate Morley, she could not bear it: for if ever you should forsake me, I should have nothing more to do with the world, but make another abdication; for where is a crown when the support of it is gone?" And here there is a faint touch tending again to rekindle compassion for a lonely heart striving after morsels of comfort. "Unfortunate Morley" was a name she took in her little cabinet of intimates ever after the death of her son.¹

¹ Here is a short but pungent letter written by the queen at a point of time between her father's death and her own accession. It affords an example of the familiar intercourse of the four:—

For the Lord Godolphin.

"WINDSOR, Tuesday night.

"I can not lett your servant goe back without returning my thanks for the letter he brought me, & assuring you it is a very great satisfaction to me to find you agree wth Mrs Morley consarning y^e ill-natured, cruel proceedings of Mr Caliban, w^{ch} vexes me more then you can emagin, & I am out of all patience when I think I must do soe

As it had been arranged, so the august ceremony of the coronation was observed on the 1st of April; and London for a day doffed its sombre neutral colours, and blazed forth in a more than oriental splendour—for however it might suit their tastes or desires, no Eastern despots had wealth enough to marshal before the world the glories of an English coronation. The brilliancy was enhanced by the vivid power of the national colour—the red. As the family livery of the Court, it had become the prevailing uniform of the army. Here it was seen in full bloom; for it was the etiquette of the coronation that the clothing of all partaking in it should be new, as casting off the past with all its mournful associations, and adopting the joyous present. The Household troops, drawn up in new scarlet uniforms, had the chief share in the predominant colour; but either in scarlet or crimson, it was distributed among high officers of law and State, among corporate officers, and even among the clergy. But the most gorgeous and attractive of colours may become oppressive by unvaried uniformity; so, in the feminine element, there was relief in a party-colouring of rich costumes, and the host of lackeys and other subordinates offered an ample variety of gaudy hues.

There were historical conditions, indeed, that gave oriental traditions to all this exceptional gorgeousness. The anointing, the orb, the crown, the ring,

monstrous a thing as not to put my lodgings in mourning for my father. I hope if you get a copy of y^e will L^d Manchester says he will send over, you will be soe kind as to let me see it, & ever believe me your faithful servant.”—Mus. Brit., Addl. MSS.

The “Princess Anne” among her familiars called King William “The Monster, Caliban, Dutch Abortion.”—Coxe, *Marlb.*, i. 48.

and other mystic symbols, are believed to have been of oriental origin, and assumed by the emperors of the Eastern empire as suited, by their conformity with traditions of royalty and supremacy, to secure the reverence of the oriental natures. They tend to symbolise not so much the sovereignty of a limited territory, as the supremacy over all the world arrogated by the Cæsars. In their transference northwards they became mixed with homely Gothic customs and ceremonies, many of them being whimsical symbols or tenders of homage for the enjoyment of lands, dignities, or offices; and it had become the general tenor of the disposal of the symbols, that instead of being rendered as a gift or sacrifice by the person tendering, they were bought at the public cost and allowed to remain in the possession of that person. Thus the chief butler obtained a gold cup and cover, with the wine remaining “below the bar.” The Lord Mayor of London tendering a cup of wine to the sovereign at the coronation-feast obtained the gold cup it was served in, and the Mayor of Oxford received in somewhat the same manner a gilt cup. The office of napier being attached to a manor held in grand serjeantry by a noble house, it was the custom for the holder when he had done his office and the feast was over to take possession of the table-cloths and other linen; and he must have found it a better prize than the holder of the manor of Heydon, who, having to hold the basin, ewer, and towel for the royal hand-washing, got possession only of the towel. The poms and ceremonies of the Court were not congenial with the powers predominant in the middle of the seven-

teenth century. In June 1643, "on a motion in the Commons that the Dean, Sub-Dean, and Prebend of Westminster Abbey should be required to deliver up the keys of the treasury there where the regalia were kept, that the place might be searched and a report of it made to the House,"—on a question whether in the case of refusal to render up the keys the repositories should be broken open, it was carried by a majority of one—42 to 41—"for breaking open the doors."¹

The genial task of giving effect to this resolution seems to have been assigned to the terrible Henry Martin; and he, being a man addicted to grotesque ribaldry, crowned and enrobed George Tuthers, the doggerel poet, who "did march about the room with a stately garb; and afterwards, with a thousand apish and ridiculous actions, exposed those sacred ornaments to contempt and laughter."² The exact fate of the regalia is not on record, but we know that all disappeared except the coronation-chair. That, enclosing the stone of destiny like a fossil, was a peculiarly ponderous piece of furniture; and for all its affluence in picturesque traditions, it was of little available value.

The dispersal of the other symbolic treasures of the crown is proved by the arrangements for replacing them for the coronation of Charles II., with the aid of a committee of persons presumed to be experts in the archæology of such symbols. We are told by him who took the foremost place in this work:—

"And because, through the rapine of the late unhappy

¹ Parl. Hist., iii. 118.

² Wood, Ath. Oxon.

times, all the royal ornaments and regalia heretofore preserved from age to age in the treasury of the Church of Westminster, were taken away, sold, and destroyed, the committee met divers times, not only to direct the remaking such royal ornaments and regalia, but even to settle the form and fashion of each particular; all which do now retain the old names and fashion, although they have been newly made and prepared by orders given to the Earl of Sandwich, Master of the Great Wardrobe, and Sir Gilbert Talbot, Knight Master of the Jewel-house.

"Thereupon the Master of the Jewel-house had order to provide two imperial crowns, set with precious stones—the one to be called St Edward's crown, wherewith the king was to be crowned, and the other to be put on after his coronation, before his Majesty's return to Westminster Hall. Also, an orb of gold with a cross set with precious stones; a sceptre with a cross set with precious stones, called St Edwards; a sceptre with a dove set with precious stones; a long sceptre or staff of gold, with a cross at the top, and a pike at the foot of steel, called St Edward's staff; a ring with a ruby; a chalise or paten of gold; an ampul for the oil, and a spoon.

"The Master of the Great Wardrobe had also to prepare new robes of State, for the old had disappeared."¹

The regalia of England are in a style of decorative art common to the period of Charles II. Perhaps it might have been better had the ancient symbols been reproduced in absolute facsimile. But in the impossibility of accomplishing this, it is well that it was not attempted. The age was signally deficient in a minute knowledge of archæology, while it was proficient in the various forms of decorative art;

¹ "A circumstantial account of the preparations for the coronation of his Majesty King Charles the Second, from an original manuscript by Sir Edward Walker, Knight Garter, principal King-at-Arms at that period: 1820."

and the regalia of England are a fine example of this proficiency.

Though thus aided by restored symbols, the coronation of Charles II. was still deficient in some of the old-established ceremonies. His brother James, however, set himself to restore them all, and made a thorough investigation through the survivors of those who had assisted at the coronation of his father, and persons learned in Court etiquette. He was sorely disturbed in spirit by the religious character of the ordeal through which he must pass if he would reign in England. It was not only that he had to take the oath to protect the religion by law established—being that of Protestant Episcopacy—but the sacred symbols of anointing and investiture, that had been of old performed by holy priests, would be performed on him by the hands of a heretic calling himself Archbishop of Canterbury. Order would readily be taken at the Vatican that no such trifle should stop a true son of the Church on the steps of the throne of England; and it is supposed that he had secretly procured a papal dispensation as an antidote to the pollution he was to endure. But perhaps it was with the view of strengthening the antidote that he thought it desirable to restore the ceremonials that had been practised under Catholic unity. He managed—it does not exactly appear how—to obtain one exemption in his own favour; he evaded the Communion, and so escaped desecration through the misconsecrated elements.

Of old it had been the practice for the sovereign to sleep in the Tower on the night before the coronation; and the procession thence to Westminster Hall

swept nearly from the east end of London to the west. In the days of the Roses and the Barons wars, possession of the Tower was a practical symbol of monarchy, more significant than all the symbolic machinery of the coronation. Further, it made a great part of the ceremony of the coronation a city affair; and where the position of a new monarch was dangerous or doubtful, and influential bodies had to be propitiated, the corporate authorities of London were of mighty avail. The coronation procession then passed through all the long intervening line of street. At the coronation of James I. the procession was evaded, because eastern London was assailed by the plague. The fears of a similar dispensation impeded the restoration of the long march when his son Charles was crowned. The significancy and interest of the procession had died out; and as it was not convenient, so it seemed unnecessary that it should be undertaken by Queen Anne.

All the elements of the old procession were preserved, but it merely wound from Westminster Hall into Westminster Abbey. The several groups had to be marshalled in the inverse order of Court precedence, the most insignificant taking precedence of all, and each expanding in dignity until the climax of royalty was reached. This is the necessary law of such a solemnity. The spectators are gradually lifted up to behold passing before them the several grades, up to the highest in the land; and then, when the sovereign is beheld, there is nothing more to feast the eye. If the order were that of Court precedence, the whole significance of the affair would be over with its first appearance. The first group, then, that emerged

before the assembled crowd was "the queen's herb-woman, with her six mades," all attired like Dresden shepherdesses. Their function was to strew the path of those who followed with flowers. The next was the beadle of Westminster, and the high constable of the same. Then came animation into the scene by a long array of drummers, fifers, and trumpeters. The first group endowed with official consequence presented the six clerks of Chancery. Legal station expanded till it reached the Bench; and then came the Church, from the assistants in the chapel royal to the Dean of Westminster. The peerage began with the barons and bishops; and each peer and peeress carried a coronet, usually made for the occasion. The last, and of course highest, in the peerage were a curious relic of the old Continental domains of the Plantagenets—"two persons to represent the Dukes of Aquitaine and Normandy, in crimson velvet mantles lined with miniver, powdered with ermine, each of them his cap in his hand, of cloth-of-gold, furred and powdered with ermine." Where princes of the blood might have been, Prince George of Denmark marched, "his train borne by his master of the robes;" and it was noted that both here and in the homages and other etiquettes within the Abbey, he was treated simply as the most illustrious subject of the queen. It was further noted that all was studiously arranged to let him know that the husband of Queen Anne was not to become what the husband of her sister had been. After dignities were exhausted, came perhaps the most significant feature in the august ceremonial—the procession of those who bore the symbols devoted to the occasion—the bearers of the

golden spurs, Prince Edward's staff, the various State swords and sceptres, the crown, the chalice, the Bible, the orb, and the paten. Then came "the canopy, borne by sixteen barons of the Cinque Ports, over the queen, attended by gentlemen pensioners; the queen in her royal robes of crimson velvet furred with ermine and bordered with gold lace, on her head a circlet of gold, wearing the great collar and George, her train borne by a duchess in her robes, assisted by four ladies and the queen's lord-chamberlain—supporters the Lord Bishop of Durham and the Lord Bishop of Bath and Wells."

The infirmities of the queen rendered even the short walk from the Hall undesirable; and "she had the conveniency to be carried in a low open chair." The ceremony of the train-bearing was not thus defeated, a length of cloth being thrown out behind the chair, and carried by the noble ladies who did duty as train-bearers. Parliament being in session, the number thus entering the Abbey was increased by the members of the House of Commons. Within the church—the queen standing on "the theatre," or raised stage where the throne was placed—the first act was "the recognition." In this the queen turned her face four times to the assemblage—to the east, south, west, and north successively, the archbishop in each direction proclaiming, "Sirs, I here present to you Queen Anne, undoubted queen of this realm, whereof all you that are come this day to do your homages and service,—are you willing to do the same?" The response, "God save Queen Anne!" was uttered with a mighty shout throughout the echoing arches, followed by a blast of trumpets, and

this by the choir singing the anthem, "The queen shall rejoice in Thy strength, O Lord; exceeding glad shall she be of Thy salvation." All the choral elements in the service of the Church of England contributed on the occasion to a musical festival that had been enriched from time to time by such artists as Purcell, Blow, Child, Lawes, and Turner; it had not yet received the touch of the mighty Handel. In performance it had its chief character from the voices of the well-trained choir of the chapel royal. The text traditional to Christian religious services was remembered—"Thou shalt not appear before the Lord thy God empty;" and the queen made oblations in old customary forms, one of them being a weighty ingot of gold.

The sermon was preached by John Sharp, Archbishop of York, on the text from Isaiah, "Kings shall be thy nursing fathers, and their queens thy nursing mothers." He began thus: "I am aware how much time the following solemnity will take up; and therefore I mean to give as little interruption to it as possible, being very sensible that the shortness of my sermon will be the best recommendation of it." The hopes thus raised were fulfilled; for the reading of what stands in print would hardly require ten minutes: and yet it is a very full though concise precept on the reciprocal duties of sovereign and people in a constitutional kingdom. The sermon was followed by two transactions more significant and solemn than State ceremonies—the parliamentary test and the coronation oath. These sanctions were among the many items of legislation ingenuously designed for keeping King James and his son from the throne; and it was at

the accession of his daughter Anne that they became a feature in the ceremony of the coronation. It may be proper to repeat them at large. The words of the "Test," otherwise called "the Declaration," are: "I do solemnly and sincerely, in the presence of God, profess, testify, and declare that I do believe that in the sacrament of the Lord's Supper there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ at or after the consecration thereof by any person whatsoever; and that the invocation or adoration of the Virgin Mary or any other saint, and that the sacrifice of the Mass—as they are now used in the Church of Rome—are superstitious and idolatrous. And I do solemnly, in the presence of God, profess, testify, and declare that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words read unto me, as they are commonly understood by English Protestants, without any evasive equivocation, or mental reservation whatsoever, and without any dispensation already granted me for this purpose by the Pope, or any other authority or person whatsoever, or without any hope of any such dispensation from any person or authority whatsoever, or without thinking that I am or may be acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or persons or power whatsoever, should dispense with or annul the same, or declare that it was null and void from the beginning."¹

¹ The Declaration is not easily found in the statute-book. It is set forth in an Act of the year 1677, 30 Charles II., chap. i., called "An Act for more effectually preserving the King's Person and Government

The coronation oath was established by statute immediately after the Revolution. In the preamble that the oath administered at the coronation "hath heretofore been framed in doubtful words and expressions, with relation to ancient laws and constitutions at this time unknown," assent is required to the following propositions:—

"Will you solemnly promise to govern the people of this kingdom of England and the dominions there-to belonging according to the statutes in Parliament agreed on, and the laws and customs of the same?"

"Will you, to your power, cause law and justice in mercy to be executed in all your judgments?"

"Will you, to the utmost of your power, maintain the laws of God, the true profession of the Gospel, and Protestant reformed religion established by law? And will you preserve unto the bishops and clergy of this realm, and to the churches committed to their charge, all such rights and privileges as by law do or shall appertain unto them or any of them?"¹

These obligations by the sovereign to her subjects—the counter-equivalent of the oaths of allegiance taken by the subject as holding public office, or under other specified conditions—might be out of harmony with the divine-right doctrines of half a century earlier; but they were in accordance with the old notions of the coronation as an occasion when the rights and obligations of both the high contracting parties were adjusted and sworn to.

by disabling Papists from sitting in either House of Parliament." It was imposed on the sovereigns succeeding William and Mary by the "Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown."—1 William & Mary, chap. 36.

¹ 1 William & Mary, chap. 6.

These important preliminaries being completed, the queen "in King Edward's chair, placed in the middle of the area before the altar, was anointed, and presented with the spurs, and girt with the sword, and vested with her purple robes; and having received the ring, the orb, and sceptre," homages and established courtesies followed, with the Communion taken by the queen,—of course according to the Church of England. It was remembered that, as we have seen, her father had evaded this rite, offensive to himself; but he had been unable to substitute anything for it that might have been offensive to others. Lastly, the queen "being vested in her robe of purple velvet," the procession was recast for its return, in the original order, to the Hall, the queen "wearing her crown of State, and the peers and peeresses and kings-of-arms their coronets." In the final benediction, after the crowning was completed, among the blessed destinies besought for the new queen there was one that, if it raised gloomy associations in the crowd rendering the responsive "Amen," must have shot a pang to the heart of the poor queen. It was in these words: "The Lord preserve your life and establish your throne, that your reign may be prosperous and your days many; that you may live long in this world, obeyed and honoured and beloved by all your people; ever increasing in favour both with God and man; and have a numerous posterity to rule these kingdoms after you by succession in all ages." Perhaps few were present who would not have felt relief in the omission of the last specific item in the blessing; but it was one of the unhappy

alternatives where the omission only aggravates the significance of what is omitted.

That great English institution, the dinner, was not neglected. It was in busy preparation in the Hall during the absence of the company in the Abbey. The House of Commons made no fixed, invariable element in the coronation: but as they were present they must, like casual guests, be hospitably entertained; so they were accommodated with a separate table in the Exchequer. It was an item of scant hospitality that the sovereign's hereditary champion could not join the other high officers of the Crown at the social board, being engaged on duty, and that duty was the one element of discordant tenor exceptional to the occasion. It must have been under some obdurate traditional usage that while the sovereign and her guests sat at meat, and in their presence, the champion should throw down his gauntlet of defiance. "Just before the second course, Charles Dymoke, Esq., her Majesty's champion, in complete armour, between the lord high constable and earl marshal . . . performed the challenge; after which the kings-of-arms and heralds proclaimed her Majesty's style in Latin, French, and English."

Whether, even to many of those seated at table, the great festival afforded the feeling of ease and satisfaction, the cordial frankness, of English hospitality, there were, besides the champion and the heralds, others of various social grades, on whom lay the weight of duties of a servile and domestic character, yet burdened with tragic traditions of times and places wherein sovereigns ate and drank in dread of poison. "The lord the server, with the lord his

assistant, went to the dresser of the kitchen, where the master of the horse to her Majesty, as sergeant of the silver scullery, called for a dish of meat, wiped the bottom of the dish, and likewise the cover within and without, took assay of that dish, and covered it; then delivered that dish, and the rest of the hot meat, to gentlemen pensioners, who carried it to the queen's table in manner following: first, two clerks comptrollers in velvet gowns, two clerks of the green cloth in the same habit, the master of the household, the cofferer of the household, six sergeants-at-arms with their maces—two abreast."

Follows another group thus: "Three great officers in their robes of estate on horseback—viz., the earl marshal of England, the lord high steward of England, the lord high constable of England; six sergeants-of-arms more, with their maces; the comptroller of her Majesty's household, with his white staff; the treasurer of her Majesty's household, with his white staff; the queen's server.

"Then the dishes of hot meat were carried up by the gentlemen pensioners, bareheaded, and placed on the table by the lord carver, with the help of the lord the server and his assistant.

"Then the mess of dillygrout was brought up to the queen's table by Mr Leigh, in right of his claim as lord of the manor of Addington, in Surrey, who was knighted that day."¹

¹ Authorities. An Account of the Ceremonies observed in the Coronations of the Kings and Queens of England: 1760—4to. The History of the Reign of Queen Anne digested into Annals, vol. i. p. 25 *et seq.* The Round Table—the order and solemnities of the Crowning the King and the Dignities of his Peerage: 1820—8vo. Collections relative to claims at the Coronations of several of the Kings of England,

The whole came to an end at eight o'clock in the evening, when the queen retired to St James's, no doubt heartily tired. That night all London blazed with bonfires and illuminations, amid ringing of bells and the cheering of enthusiastic crowds. It was observed that as an occasion of public rejoicing and a token of cordial popular acceptance, this coronation ceremony was a contrast to both the two coronations best remembered,—that of the queen's father, and of her sister; and yet there was so little of harmony in the conditions rendering these unpopular, that each was more antagonistic to the other than the spirit of Queen Anne's coronation was to either of them.

Before passing from the Court and the personal character and position of the sovereign, it may be in harmony to deal with an early and characteristic instance of the queen's religious prepossessions—the devotion of the first-fruits and tenths of benefices to the augmentation of small livings. The history of the fund thus applied is briefly this: To secure for the Vatican out of the incomes of the clergy, the whole

beginning with King Richard II. A Key to the Regalia; or, the Emblematic Design of the various forms observed in the Ceremonial of a Coronation, by the Rev. Jonas Dennis: 1820. A Faithful Account of the Processions and Ceremonies observed in the Coronation of the Kings and Queens of England, &c., edited by Richard Thomson: 1820. Chapters on Coronations: 1838. Regal Records; or, a Chronicle of the Coronations of the Queens Regnant of England, by J. R. Planché: 1838.

One is surprised by the light cost of so much splendour. The estimate was about £10,000; "but there being several tradesmen in the office, put in by Lord Preston, who had great sums due to them, and had put down the prices higher, they were discontinued, and it then amounted to £7439, 8s. 5½d."—Calendar of Treasury Papers, vol. lxxix., No. 100. One sees the economising hand of Godolphin in this.

amount for the first year of the possession of a benefice, and the tenth part for the other years, was one of the papal claims not always effectively exacted. At the Reformation it was transferred to the Crown, and thenceforth rigidly exacted. A bill came to the Commons, with a special message from the queen, and her strong interest in the matter is evidently the source of a certain rhetorical character in the preamble of the Act: "Whereas a sufficient settled provision for the clergy, in many parts of this realm, hath never yet been made, by reason whereof divers mean and stipendiary preachers are in many places entertained to serve the cures and officiate there, who depending for their necessary maintenance on the goodwill and liking of their hearers, have been and are thereby under temptation of too much complying and suiting their doctrines and teaching to the humours rather than the good of their hearers, which hath been a great occasion of faction and schism and contempt of the ministry.—And forasmuch as your Majesty, taking into your princely and serious consideration the mean and insufficient maintenance belonging to the clergy in divers parts of this your kingdom, has been most graciously pleased out of your most religious and tender concern for the Church of England—whereof your Majesty is the only supreme head on earth—and for the poor clergy thereof—not only to remit the arrears of your tenths due from your poor clergy, but also to declare unto your most dutiful and loyal Commons your royal pleasure and pious desire that the whole revenue arising from the first-fruits and tenths of the clergy might be settled for a perpetual augmentation of the maintenance of the said

clergy in places where the same is not already sufficiently provided for;" that mysterious entity of the English constitution—a corporation—was created by the statute for giving effect to its object. The statute of mortmain, prohibiting perpetual alienations of estates for ecclesiastical purposes, was repealed to the extent of legalising such alienations when made to the corporation.¹

The Act of Henry VIII., vesting the fund in the Crown, provided that a royal commission should be issued "from time to time to search for the just and true value of the said first-fruits and benefices," and so of the tenths. The suspension of this statute was part of the reaction towards the Church of Rome in the reign of Henry's daughter Mary. The revival of the Act under her sister Elizabeth was accompanied by a special "search for the just and true value." And the statute for the occasion proclaims that the ascertained value was justly answered and paid by "the prelates and clergy of the realm to the great aid, relief, and supportation of the inestimable charges of the Crown." But the injunction in the Act to make valuations from time to time dropped out of sight, and the valuation was never repeated. Hence the valuation stood in 1703 as it had been made in the reign of Elizabeth. There was not only no such revision under the Act of Anne, but a few casual words were dropped into it that effectually precluded such a revision. A section of the Act relieving the clergy from a complex multiplicity of bonds for the payment of their allotments, provides that "from and after the 25th day of March in

¹ 2 & 3 Anne, ch. 11.

the year of our Lord 1704, one bond only shall in such case be given or required for the four payments of the said first-fruits, which said first-fruits, as well as the tenths payable by the clergy, shall hereafter be answered and paid by them according to such rates and proportions only as the same have heretofore been rated and paid."

It has been remarked that in consequence of this clause, "as the old and insufficient rate of payment was fixed and made perpetual, the most religious queen went to her grave without seeing any effect from her bounty; as, in consequence of the encumbrances upon the fund, and the impossibility of increasing its produce, it was not till 1714 that the governors of the bounty were able to make their first grants."¹

And when there came a fund to be allotted it did not help the humble working clergy. The smallness of the revenue of the charge was the criterion, without bringing in to the calculation the amount of duty to be performed, or asking whether any duty was rendered for the humble revenue drawn. As part of the result, it is noted that "the governors go on therefore increasing the incomes of two small livings, in order to make each of them capable of supporting a resident clergyman, while after as well as before the augmentation, one incumbent may hold them together, reside in neither, and allow only a small part of the accumulated income to a curate who performs the duties of both."²

The Church of England has not often been justly subject to a charge of excessive zeal. It has had its

¹ Edinburgh Review, Feb. 1823, xxxviii. 152.

² Ibid., 157.

zealots—High Church and ritualism on the one side, Low Church and evangelicism on the other. But these have been elements tending rather to modify than exasperate the collective ardour of the Church at large. Of all the great religious communities it is, take it for all in all, the one that has least attraction to the fanatic, and affords him least satisfaction when he gets within it. Yet the zeal of Queen Anne for the Church of England at large amounted to something like fanaticism, and exercised a powerful influence in the protection of the Protestant succession. The simple power of such fanaticisms, when it does not happen that they are accompanied with other symptoms of a powerful nature—as they were, for instance, in Cromwell—is a political force not perhaps sufficiently admitted in all histories. It at once converts the weakest into the strongest nature. It overcomes all overcomable opposition and fights with fate itself.

The following statement by the Duchess of Marlborough is important in its reference to the conduct of the queen at the commencement of her reign; but it has had the effect of leaving a false impression of her political creed.

“Hitherto my favour with her Royal Highness, though it had sometimes furnished matter of conversation to the public, had been of no moment to the affairs of the nation, she herself having no share in the councils by which they were managed. But from this time I began to be looked upon as a person of consequence, without whose approbation at least neither places, nor pensions, nor honours, were bestowed by the Crown. The intimate friendship with

which the queen was known to honour me afforded a plausible foundation for this opinion; and I believe, therefore, it will be a surprise to many to be told that the first important step which her Majesty took after her accession to the government, was against my wishes and inclinations I mean.” Here she refers to the appointment to office of Normanby, better known as Duke of Buckingham—Jersey, Nottingham, Sir Edward Seymour, Rochester, and Sir Nathaniel Wright, and proceeds: “These were men who had all a wonderful zeal for the Church; a sort of public merit that eclipsed all others in the eyes of the queen. And I am firmly persuaded that, notwithstanding her extraordinary affection for me, and the entire devotion which my Lord Marlborough and my Lord Godolphin had for many years shown to her service, they would not have had so great a share of her favour and confidence if they had not been reckoned in the number of the Tories.”¹

The word “Tories” deposited in this explanation a cause of false interpretation. “Tories,” as the term came afterwards to be used as applicable to a party who opposed the constitutional Whigs without being Jacobites, did not then exist,—it was the contest between the Marlborough and Godolphin party, and the Bolingbroke and Harley party, that brought them into existence, and transferred that name to them. The “account” begins with transactions forty years old at the time when it was published. And its being put into readable form by a man of letters rendered it all the more apt to take the nomenclature that had become rooted in the public mind by a

¹ Duchess of Marlborough’s account of her Conduct, 1742, 124, 125.

growth of forty years' duration. The Duchess, indeed, unconsciously expresses the anachronism in her use of the party term when she says of the queen "as soon as she was seated on the throne, the Tories—whom she usually called by the agreeable name of 'The Church Party,' became the distinguished objects of the royal favour."¹ What we should be content to take in the well-instructed and vigilant Sarah's definition, is the absorbing influence on the queen of zeal for the Church of England, so as to prepare ourselves for the effects of this zeal on the destinies of the nation, and on the content or discontent of her subjects at large.

¹ Duchess of Marlborough's account of her Conduct, 1742, 124.

CHAPTER II.

The Religious World.

THE CHURCH OF ENGLAND: HIGH CHURCH AND LOW CHURCH—THE THREE GROUPS OF DISSENTERS: PRESBYTERIANS, INDEPENDENTS, AND BAPTISTS—THE SOCIETY OF FRIENDS, AND THEIR ENEMIES—WILLIAM PENN—THE PRESBYTERIANS IN SCOTLAND—DISSIMILITUDE OF DISSENT IN THE TWO COUNTRIES—REMNANTS OF THE WESTMINSTER ASSEMBLY—UNIVERSITY MEN AMONG THEM—THIS DISTINCTION LOST TO THEIR SUCCESSORS—THE UNIVERSITY AND THE COLLEGE—SOCIAL POSITION OF THE DISSENTERS—NONJURORS—POPISH RECUSANTS—TEST AND CORPORATION ACTS—BILL AGAINST OCCASIONAL CONFORMITY—TENDER CONSCIENCES—APPEARANCE IN THE CONFLICT OF "THE SHORTEST WAY WITH THE DISSENTERS"—DANIEL DEFOE: HIS OFFER TO REVEAL HIS ACCOMPLICES—THE EPISCOPAL REMNANT IN SCOTLAND.

At the period of the queen's accession, here and there throughout the empire—chiefly in Ireland—there were people who believed that the divine right of a sovereign reigning over them could only be certified by the papal benediction of the oil used in the anointing at the coronation; others held that the true sovereign was infallibly indicated in the divine rule of primogeniture. Perhaps there were believers that the power of adjustment lay with Parliament. There were others—far more numerous—who passed no judgment on the abstract question, but were

thankful that Parliament had acted, and acted wisely. There was a body of infallible men—chiefly dwelling in the moorlands of the south-western counties of Scotland—who held the test of legitimate sovereignty to be an oath of adherence to the Solemn League and Covenant, and who were in a condition of chronic penitence and lamentation for the sins of the land that bent under an uncovenanted sovereign. The Church of England sat perhaps more lightly on the heart than any of these motive creeds; but the queen herself, and many of her subjects—chiefly among the clergy—thought adherence to the Church of England essential to the sovereign of England. And she especially felt and acted as one who was legitimately placed on the throne for the protection and promotion of that Church. Without passing judgment on it as an abstract principle, it may be admitted that this assurance in the royal mind protected the empire from many dangers.

As the Dissenters—or “Nonconformists,” as they were more commonly called—are, throughout our narrative, a political power, it may be well here to note their position and conduct in the earlier years of Queen Anne’s reign. They were growing in numbers and influence; but it was the infirm growth of a feeble vitality that might be extinguished in any hard contest. The mighty organisation of Methodism was neither in existence nor in expectation; for John Wesley was an infant in the cradle in the midst of the short contest about occasional conformity; and his father had abandoned his charge as a dissenting minister to become a High Church clergyman.

All but an exceptional few of those who professed themselves Protestants not of the Church of England clustered into three groups—the Presbyterians, the Independents, and the Baptists. There were, to be sure, “the people called Quakers,” perhaps larger in number than any of the three. But they were a peculiar people, standing aloof; and if it might not be said that their hand was against every man, yet every man’s hand was against them. The Quakers, indeed, left on the opening of the reign a distinct mark, that between them and the other Dissenters there was no community of interests or sympathies. Among the many addresses lamenting the departure and hailing the succession, “the Dissenters in and about London presented also an address, which was the more remarkable because all the non-conformers except the Quakers joined it. The queen, in her answer, assured them of her protection, and that she would do nothing to forfeit her interest in their affections,—which words were afterwards remembered when the royal assent was given to the Schism and Occasional Bills.”¹

Taking a “Dissenter,” in the strict sense, to be one who has separated from his friends on some special points of difference—who will be delighted to rejoin them if they will drop the cause of quarrel or scandal—the Quaker could not be aptly called a dissenter. The community of “Friends,” to which he belonged, had bound themselves together by an organisation that discarded, as far as they could, all the traditions of a common origin that even those

¹ Parl. Hist., vi. 7, where it is cited from Tindal. I am not aware of any other authority for this exchange of courtesies.

who had gone farthest away from the Church of the middle ages carried with them. While all others had more or less in common indicative of relationship and common parentage, the Society of Friends was like an erratic formation bursting through the whole, standing erect above the surrounding country and courting every storm. It would be difficult to say which of the denominations of the day hated them most thoroughly. It was difficult to sympathise with them in their sufferings, or to denounce those who persecuted them; for they themselves seemed to court persecution, as aspiring to the crown of martyrdom. Their casting themselves in the way of those who hated them most was, in fact, a sort of retaliatory persecution; for when the most bigoted of the Puritans crossed the Atlantic to isolate themselves in pious communities, unpolluted by the presence of the various abominations that embittered life to them in Britain, did not the most abominable of all, dog them to their place of refuge, courting martyrdom, and obtaining it in full measure? The general silence of British history about the cruel persecution of the Quakers in New England, is an emphatic testimony to their isolation from the sympathies of their kind. Among the scanty allusions to the affair, one tells how a message went from some of "the Dissenters of the three several denominations, transmitted to New England, in approval of some laws there against the Quakers."¹

The stern resoluteness of the Quakers was crossed by a quality as peculiarly their own as everything else about them. Their uncompliability was neutral,

¹ Life of Calamy, ii. 34.

not active. They would not comply with the injunctions of the powers that be, but they would not offer resistance to those powers with the arm of the flesh. It was a meeting of extremes, where resistance united itself with passive obedience. To King James the Second, any element of this blessed quality was so delightful that he had wild dreams about converting this neutral power into alliance with his own objects of active subjugation. For purposes totally different from his, however, this power of inertness was mightily effective. It gave the Quakers a strength possessed by no other communion. As they would not fight they could not be beaten. They hence turned the world round to serve them. A solid mass of human beings, unconformable to many of the established usages secular as well as religious, was a grievous clog on the free movements of the complicated machinery of British social and political life. This erratic unconformability was all the more provoking and troublesome that the Society of Friends were not only in general good citizens, but counted among them men who had both capacity and inclination for conducting the active affairs of life. So early as the Act of Toleration of the year 1689, the Quakers were favoured above all other men. A declaration of fidelity was prepared for them instead of the oath of allegiance; and a short general acknowledgment of belief in Christianity exempted those who officiated at their places of worship, while dissenting ministers were required to subscribe the Thirty-nine Articles of the Church of England.¹ The laws passed from time to time to extract from Quakers, without injury to

¹ Act I., W. & M., c. 18, §§ 8 and 13.

their consciences, the payment of taxes and the performance of other duties of the citizen, hold a considerable place in the statutes of the realm.

One illustrious member of the fraternity, for all the abnegation of pomp and power laid on him as a faithful "Friend," yet virtually acted the statesman. William Penn, fifty-six years old at the time of the accession, lived the life of an active public man through our whole period. He possessed a subtle power—noted in the fraternity by those who have come across them in business transactions—of doing things equivalent to, though not coming within the absolute definition of, the things prohibited. It is a becoming use of this faculty when we find him addressing Marlborough as "my noble friend,"—an epithet that, coming from such a source, was a higher courtesy than the "your grace" and "my lord duke" from the common herd.

Of the three communities forming the bulk of the Dissenters, the Presbyterians, if not the greatest in bulk, were the strongest in the effectiveness of their ecclesiastical organisation. The Baptists were a small body, imperfectly organised. The Independents or Congregationalists abjured a collective organisation, whether hierarchical or republican; and their strength had been shown rather in the destruction of the co-operative action of other bodies than in the formation of a common scheme of action among themselves. The Presbyterians could proudly look back to the day when the potency of their organisation carried the Covenant in triumph over the three kingdoms, binding them together, with all their inhabitants, in that "solemn league and covenant" which was the

final authorised accomplishment of God's will. The Independents came down with the sword in their hand on this beautiful organisation and hurled it into chaos. But it was a day of wrath when all things were confounded; and though the Presbyterians had to endure dire humiliations after the Restoration, yet this was a convulsive epoch that in its turn had subsided, and the power of the Presbyterian system was gradually waxing again.

Those who put reliance in this power were not without reason. Of all organisations in the Christian Church, Presbytery is, next to the Romish hierarchy, the most powerful. In places entirely isolated from external aid and countenance, it is far more accomplished in organisation than any other Church. With their simple apparatus of government and ceremonial, those that sought refuge beyond the Atlantic equipped themselves at once as ecclesiastical communities. The rapidity of their organisation was conspicuous by contrast with the adherents of the mighty Church of England, who, when they parted from the monarchy, parted also from the hierarchy, and had to wait, through difficult and dubious negotiations, until the year 1783, when the apostolical succession was communicated to the clergy in the United States—not from the Church of England, where political difficulties stood in the path—but from the humble and oppressed remnant of Episcopacy in Scotland.

But if the Presbyterians of England were better organised and saw a brighter future than their fellow-Dissenters of other communions, they were far below the proud position of their fellow-Presbyterians in the north. It was not merely that there, from politi-

cal conditions, they had become supreme, and could dictate to the civil power its dealing with other religious bodies. Even those dissenting from the Establishment took a prouder position than any claimed by English Nonconformists. Perhaps there is no way of better appreciating the nature of Dissent in each of the countries separately than by looking at them together, and seeing in what they have differed as well as in what they have agreed.

In Scotland, every body of men who dissented from the Establishment professed to throw it off as departing from the good old ways, and to be themselves the representatives of the Establishment in still pursuing the good old ways it had deserted. Hence, however few and poor, and in all worldly things insignificant, they nourished a spirit of haughty exclusion towards their old comrades, handing them over by a sort of comprehensive excommunication to the doom of the uncovenanted. Such was the lofty position successively taken by the Cameronians, the Macmillanites, the Secession, and the Relief. The spirit of all was well expressed in the phraseology of the latest and largest secession from the Church of Scotland, when they threw back on those they left behind the title of "The Residuary Church." The same spirit animated sub-secessions from the successive seceding bodies, as when the anti-Burghers drew away from the remnant of the Secession and established themselves as the only true Church of Scotland; and again, the phenomenon was repeated even in the separate portions of the small body thus divided, for a portion of the Burgher community were constrained to sever themselves as "The Old Light

Burghers," who denounced the brethren whose indulgence in certain accursed innovations earned for them the denunciatory epithet of "New Lights." Then, again, the anti-Burghers, who dissented both from old and new light, found themselves left behind by the departure from among them of "The Constitutional Associate Presbytery." These being the furthest removed from the Establishment, denounced by all the others in succession, claimed the privilege of standing before the world as the sole representatives of the True Church.

There was intolerance throughout all, and each new swarm was more intolerant than all those it had left behind. They took with them the traditions of the Covenant. They were the champions of that Covenant which, in the Solemn League, the three nations, England, Scotland, and Ireland, had sworn to adopt and obey. That oath was still binding on all the inhabitants of the British empire, true though it was that the multitude had forsworn it, and the Church of Christ was for the time represented by only a small chosen band of true believers.¹

¹ How intolerantly and domineeringly these small sects could express their views is well exemplified by the following utterance of a period later than Queen Anne's reign:—

Question. "Should not Episcopalians have the benefit of toleration in Scotland (as was pleaded in Assembly, 1724) as well as Presbyterian dissenters in England? Should not every man live according to the light of his own conscience, &c.?"

Answer. "A toleration of all religions is the very cut-throat and ruin of all true religion, and contrary to our blessed Lord's example, given for purging and keeping pure His house: it is what Satan boldly pursues for and glorifies in as the only bulwark of his kingdom. As for Presbyterians being tolerated in England, if they were standing upon their ancient basis, valiantly contending for the glorious reformation that nation attained, and is sworn in the most solemn manner to maintain in opposition to Prelacy and all other heresies and errors, &c.,

The Nonconformists of England took up a less arrogant position, and were more gently dealt with by those who were nearest to them in the Establishment. They had "tender consciences," demanding gentle handling. They were "weaker brethren," the objects of charitable allowance by the strong and orthodox. Their demeanour in some measure accepted of these unflattering courtesies; for their desire was towards the great bulk of the Christian world around them forming the Establishment, and it was a grief to them that they could not overcome the small barrier that excluded them. In Scotland the smallest sects would hold that they were the only adherents of that true presbytery that was of "right divine," as the Romanist maintained the divine infallibility handed down by St Peter to his successors; and the High Church of England men held by the divine pedigree of apostolic succession. But the English Dissenters were shy of such a rivalry, and the arrogators of aught in the shape of divine right were few among them.¹

they, in that case, had a just title and claim unto the ancient Establishment, when Prelacy was trodden under foot; and even as the matter is with them, they ought, if sound in the faith, with the Apostle Paul to plead the truth and soundness of their doctrine, who, though frequently under persecution, did always plead against toleration—Gal. v. 11, 12."—*Plain Reasons for Presbyterians Dissenting from the Revolution Church in Scotland*, pp. 72, 73.

¹ Calamy, with reference to the publication in 1704 of his 'Defence of Moderate Nonconformity, in Answer to the Reflections of Ollyffe and Mr Hoadly,' says: "That I might know the utmost that could be said against the latitude into which I had run, I sent it with a letter to Mr Williams, begging he would let me have his strongest objections against my scheme. This I then rather did because I knew he was in his judgment for the divine right of presbytery, though there were but very few of our ministers that I ever could discern to be of that mind."—*Life*, ii. 30.

Daniel Defoe, who could give no description without imparting to it a touch of picturesqueness, thus describes "The English Protestant Dissenter," and in doing so must be understood to speak of and for himself:—

"The Dissenter is an Englishman that, being somewhat desirous of going to heaven—having heard his Church of England father and schoolmaster and the minister of the parish talk much of it,—begins seriously to inquire about the way thither; and to that purpose, consulting his Bible and his conscience, he finds that, in his opinion, there are some things in the established way of worship which do not seem to correspond with the rule he has found out in the Scripture.

"Now I shall not examine here whether the man thus scrupulous be in the right, or whether the Church be in the right—it does not at all belong to the case in hand.

"But the man being fully convinced that he ought to worship God in that way, exclusive of all others, which is most agreeable to the will of God revealed in the Scripture: and being, on mature consideration also, and after sincere endeavours to be otherwise satisfied, fully convinced that the established way is not so near to that rule as it ought to be, ventures the displeasure of the civil magistrate in dissenting, in pure obedience to the commands of his conscience and of that rule which bids man obey God rather than man—firmly believing that 'tis his duty so to do, and that the compass and extent of human laws do not reach to bind him in matters of conscience—at the same time living in charity with

all the rest of the world whose consciences do not require the same restriction, and peaceably submitting to the laws and government he lives under, as far as either his right as an Englishman or his duty as a Christian can require."¹

To the bulk of Englishmen of a serious class—and the Dissenters were to a man "serious"—"schism" was a heavy charge to be imputed, and a heavy weight to be felt on the conscience. The doubts and troubles of many pious writers of the day are directed always as amply to this difficulty as to the great essential questions of orthodoxy in faith. To Dissenters of Scotland—Covenanter, Cameronian, or Macmillanite—there was no such dubiety. The word schism was not much in use among these fraternities, but if any one were bound to find a meaning for it, he would apply it to all who differed from himself and his set. A time had been, indeed, when the English Presbyterian could have fairly denounced as schismatic any one who questioned the Confession of Faith, or offered disobedience to the Directory of Public Worship. So it was in the glorious days of the Westminster Assembly, when it was laying down the creed and constitution that were immediately to hold rule over all Protestantism, and ultimately over all Christendom. But that was an affair of sixty years ago, and the glorious fabric had been scattered to the winds by storm after storm sweeping past from divers points in the political horizon.

The great men who gave life and lustre to that Assembly had now long gone to their rest. As in the

¹ An Inquiry into Occasional Conformity: writings of the author of The True-born Englishman, i. 388.

traditions of some great battle, after all the veteran leaders have been removed, those who fought as raw recruits become memorable as each arrives at old age and drops away,—so the skirts of the departing Assembly men were honoured. The last of them who lingered among men was great enough to dignify the end of all, though his greatness was not in ecclesiastical matters—this was John Wallis, the mathematician, grammarian, and teacher of the deaf to speak.¹

Apart from natural regrets for the historical lustre that had departed with the skirts of the potent Assembly, the Presbyterian dissenters were reminded of incidental misfortunes in their present lot when they thought of the men of the old time. The leaders in the Assembly had been educated at the universities. So, too, had many of the succeeding generation of Nonconforming ministers, some of whom still lived. Of these were Calamy, Howe, and Bates.

The restrictions that excluded their followers were too much in harmony with the long pressure of the narrow interests of "the college," on the catholic spirit of "the university," as an institution where all souls thirsting after knowledge might come and drink their fill. No doubt profound classical scholars and skilful mathematicians were bred by the universities of England; but it could not be otherwise where so affluent an apparatus for teaching and studying was available. But co-operating with the internal economy that

¹ October 28th this year (1703) died Dr John Wallis, Savilian Professor of Geometry in the University of Oxford, and last surviving member of the Assembly of Divines.—Calamy: Own Life, ii. 21.

made the colleges available as a right only to the very wealthy, the exclusion of Dissenters served to make university education one of the distinguishing badges of a class, rendering it an object of ambition rather to attach Oxon. or Cantab. to the name, than to prove the high tone of the education by the knowledge and accomplishments it has imparted. The tendency of all this was, until in recent times a wiser spirit began to prevail, that the frequenters of the universities were a social caste, dividing the male population of England into university men and the others; so that any exhibition of the acquirements peculiar to Oxford or Cambridge respectively, by one who had not acquired them at their legitimate source, partook of the nature of a pretence,—like a man of meagre means making exhibition of the attributes of wealth, as by hunting or horse-racing.

That there were three bodies standing under the common shade of nonconformity, does not appear to have made any one of them stronger than it would have been alone. Then, at the time of our making their acquaintance, the great Antinomian controversy had been raging through each and all of them. The reproach of Antinomianism held a slightly sarcastic inference of superstitious tendencies; and those who were assailed by it retaliated with a charge of Socinianism, inferring the deeper reproach of a tendency to infidelity. Here there was room for wider and deeper hatreds than any that could arise where a taste for simplicity was offended by pomps and ceremonies, or the possessor of a tender conscience was unable to reconcile some item in his brother's creed with the precepts of

Scripture. Hence, wherever there was a considerable body of Dissenters, there were opposite parties casting at each other words harder and bitterer than any that the Established Church had thrown at either.

The laymen who made the congregations of Dissenting ministers were generally, as they have been in later times, men endowed with the plain but substantial virtues of the middle-class Englishman. They were moral in their lives without professing the painful austerity of the earlier Puritans; they were peaceful citizens when let alone, and men of their word in their business transactions. They were industrious and frugal, and as many of them were able men of business, they had a tendency to accumulate wealth. In London, where there were many capitalists among them, they were a powerful body; and by a discreet use of the privilege of occasional conformity, they often held rank and office in the city and the parochial corporations.

The wealth of the Dissenters enabled them to purchase influence and respect, but such tributes were tinged by a slight infusion of the venerable prejudice of the Christian against the rich Jew, and of the Mohammedan against the Parsee. It did not reconcile the haughty Churchmen to the wealth of these neighbours that it enabled them to contribute to public benefactions, and even to aid the State itself in raising loans, and in facilitating the commerce in the national stock.

Another use made by the Dissenters of the fruits of their industry gave a still more offensive feature to their liberality. It was frequently an object

of their pride that their pastor should be well endowed in worldly goods, and so stand in invidious contrast with the pecuniary condition of his neighbour who represented the Establishment. It is true that the curate or the equally humbly endowed incumbent of a "small living" was qualified to rise to a bishop's throne and affluence, or for the enjoyment of a rich deanery. But there were multitudes who knew that the chance of such a fortunate consummation was a virtual nullity; and then, close at hand, was the minister of the meeting-house, whom the parochial incumbent was bound in clerical etiquette to despise, living on the easy competence provided for him by an attached and generous flock.¹

¹ Tom Brown, in his usual happy way, gives life and individuality to the attractions of the Nonconforming interest in the eyes of a worldly-minded scholar selecting his lot as a pastor. In the search after some "curacy, vicarage, or parsonage," he reflects thus: "I may possibly meet in a short time with some rich impropiator, who receives two or three hundreds a-year in tythes, who may, out of Christian charity or generous liberality, vouchsafe to promise me ten pounds a-year besides a Sunday pudding." "But to put the best case, we shall suppose a vicarage or parsonage to become vacant of an hundred pounds value in common estimation, and the poor painful priest, standing fair in the opinion of the neighbourhood, is recommended to it: it is ten to one but there is an abigail in the patron's house that must be married." "If there be not anything of that here, and all must be done by hard silver or gold, or something equivalent, as a lease of tythe or the like—I am certainly ruined. The oath of simony will be a continual scourge to me, and I may wear away my unhappy life before I shall receive the money I have paid or engaged to pay." Then there are fees and costs for wax and parchments, composition for first-fruits. "The churchwardens tell me that they have a sequestration upon my living, and the profits are at their disposal till I have taken it off: and withal, that a considerable sum of money has been disbursed by them for the service of the cure during the vacancy, which must be repaid them." We follow him home to "an old rotten house ready to fall upon his head," whence he continues his story. "Besides tenths to be yearly paid to the king, and the charges of visitations, by way of procurations, synodals, and I know not what more; the charge of my attending upon

The Dissenters were to a man champions of the Revolution Settlement, but even this claim was slightly tainted in the eyes of the Churchmen who competed with them for the same merit. The Church

my superiors when they are pleased to command me; the charge of entertaining officers, and I know not how many sorts of men coming to me upon public business,—I shall find a charge to lie heavily upon me from my own parish. Hospitality must be kept, and none of my parishioners must go from me with dry lips," and *per contra*. "When I come to demand my dues for defraying that charge, and the maintenance of my family, I shall find it a hard matter to get them. If I be minded to farm out my tithes, my parishioners will bid me half the worth of them. If I take them in kind they will cheat me of little less than the half. And that which will vex me most of all, I must not dare to tell them of their injustice, for if I do I shall certainly have their ill-will, and as many mischievous tricks played me as they can possible."

These items of sordid servitude are occasionally put in contrast with the happier field selected by the student for his own Christian labours.

"If a church will not call me I can call a church, and without a penny charge receive the profits thereof, being king, bishop, archdeacon, and everything myself. I shall be wholly on the gaining side, and not one person the better for my preferment."

"Suppose me then in a congregation as their pastor, teacher, holder-forth—call it what you please. You must know that they will be a select number of people (not like your churches, a herd made up of a few sheep and a multitude of goats), most of them of the sweet female sex (whose kindness towards their spiritual pastors or teachers is never less than their zeal for what they teach them), scattered up and down here and there in several of your parishes. And for the better edification of these precious souls, it will be in my power to choose the place of my residence or abode; and if I do not choose a convenient place 'tis my own fault. Instead of an old rotten parsonage or vicarage house, I promise myself forty, fifty, or threescore good houses, where I shall be entertained with such fulness of delight, yea, and empire too (not like your pitiful curates or chaplains that must sneak to the groom or butler), that even the gentlemen that pretend to make gods of their landlords will be apt to envy me: and if I resolve to enter into the matrimonial state, I shall be strangely unfortunate if, instead of an abigail, I meet not with some opulent widow, or some tender-hearted virgin of no ordinary fortune." "No obligation to hospitality will lie upon me, and I shall be troubled with few visitors but such as will bring their entertainment with them, if they send it not before them:

had provided the army and gained the victory of the Revolution. It cannot be doubted that the Dissenters of England, and the Presbyterians of Scotland who became the Establishment, had resisted the temptation of the indulgences, and refused to acknowledge that a repeal of the penal laws uttered by the king alone was a valid act of government. But some slight influence from what in Roman history was called the Fabian policy adhered to them. They had obtained gifts from the politic king, and some of them were yet enjoying offices which had been conferred on them when King James made his futile efforts to convince them and the rest of the world, that it was his design to treat them as well as he treated his fellow-Romanists, and to establish a general toleration and equality of rights among all classes of Christians.

Then, on his other side, the Churchman had to take an estimate of another class of Nonconformists who were called Nonjurors. Of lay Nonjurors we hear almost nothing; but the clergy who chose that path were very conspicuous. To them the High Churchman, who despised the Dissenting minister, would sometimes look with reverence, as to one who trod a path higher and holier than his own. The representatives of the class were, of course, those five bishops who, out of the seven that had been committed to the Tower, had lost their temporal rank

I shall not be liable to pay one penny out of my income to bishops or chancellors, to church or poor—no, nor to the king and queen. And what a happiness, think you, will this be, to live under a Government and enjoy so much good under its protection, and not part with one farthing towards the support of it.”—Dialogue between Two Oxford Scholars, published in the Works of Mr Thomas Brown, i. 6-11.

and emoluments because they would not take the oath of allegiance, which indicated an adoption of the Revolution Settlement. They endured bondage rather than submit to a decree which their allegiance to their Church taught them that a king had no right to impose on them. They sacrificed the world and its gifts rather than depart from their allegiance to that same king, in the functions which they held that he and he alone could legitimately exercise.

The death of King William was the loss of their champion and protector to those adherents of the Church of England who, as a distinction from the “High Church,” were called the “Low Church” party. They were those whose attachment to the Church went no farther than conformity—the bare acceptance of its hierarchy and ceremonies. It was natural that two bodies of men so significantly severed in popular nomenclature should prepare for war against each other. There followed a conflict stained by follies and malignant passions. In its historical development, however, one can see its slow but sure tendency to strengthen the Revolution Settlement, and that chiefly through the influence of the condition, that the High Church counted on the sympathy of the queen. This familiarised the opponents or dubious friends of that Settlement to the rule of a sovereign who, near as she was to the line of legitimacy and divine right, had nothing higher than a parliamentary title.

The contest began in a blow aimed at the Nonconformists or Dissenters. King William had been dead little more than half a year—the first Parliament of Queen Anne was but three weeks old—when

the Commons were stirred by the "Bill for preventing Occasional Conformity." The "conformity" which, though only occasional, carried the privilege of permanence, and therefore was offensive to the zealous and steady Conformists, was conformity with the provisions of the celebrated Test and Corporation Acts. The Test Act had been memorable in history by fulfilling the design of its promoters in driving the Duke of York from the post of Lord High Admiral, and supplying him with a significant hint that, unless he abandoned his championship of Popery and arbitrary power, he would not be permitted to retain the higher place at the head of the State that was likely to become his by hereditary succession. It was called "An Act for preventing Dangers which may happen from Popish Recusants." With the verbosity of definition deemed necessary in statutes of a penal character, it comprehended every Government office, and enjoined that the holder of it shall take the Oaths of Allegiance and Supremacy, and "shall also receive the sacrament of the Lord's Supper, according to the usage of the Church of England," "in some parish church, upon some Lord's Day, commonly called Sunday, immediately after divine service on Sunday." Conditions of time and place were provided for facilitating the detection of defaulters; and if the occasion passed without the compliance being recorded, the defaulter's office was forfeited. There was a declaration, too, of belief—"that there is not any transubstantiation in the sacrament of the Lord's Supper, or in the elements of bread and wine, at or after the consecration thereof by any person whatsoever." All the phraseology

of the Act expressive of alarm and denunciation was levelled against Papists and Popery.¹ But the substantive qualification for office of taking the Sacrament according to the usage of the Church of England, and within a parish church, technically excluded all who, from whatever motive, failed to pay this homage to the Church of England.

The Corporation Act dates from the beginning of the reign of Charles II. It required from all magistrates and officers of corporations an abjuration of the Solemn League and Covenant, "and that the same was in itself an unlawful oath, and imposed upon the subjects of this realm against the known laws and liberties of the kingdom." Forty years after the Restoration there were few champions of the Covenant in England. But there was a further condition that all corporate officers must have taken the Sacrament according to the rites of the Church of England within a year before acceptance of office; and here the Nonconformists in a body were struck.²

But the blow was not political death to them. They were not excluded from office for creed or opinion. If they chose to perform certain conditions they were as eligible to office as the staunchest Churchman. All that was necessary was, at proper time and place, to receive the sacrament of the Church of England. Many gave this testimony of conformity, and had satisfactory reasons to give for it. They could be in friendship with the Church of England, though not of it. Both acknowledged one common enemy in Popery, and both were alive to

¹ 25 ch. ii. c. 2.

² 13 ch. ii. stat. 2, chap. i.

the policy of comforting and supporting each other against the common danger. It was a good thing for the Churches, standing on the common ground of Protestantism, to hold communion and Christian intercourse with each other in matters not involving the essentials of faith and consequent salvation. If the Dissenter was faithful, in all essentials, to his own creed, it mattered not that on occasion he partook of the ceremonials of another denomination of Protestant Christians.

So one class of Occasional Conformists justified themselves. But to those who were more fundamentally rigid, there was an ampler justification. As they did not believe in any saving efficacy from the acts they were required to perform, these acts were not to them religious observances. They were merely civil conditions of qualification for office. To those who indulged themselves in this vein it was a support and refuge to reflect on the consolatory words of Elisha, when Naaman hinted the probable necessity for bowing himself down in the house of Rimmon.

The Churchman's answer to both reasonings was, that the Corporation and Test Acts were passed to reserve the sources of public emolument for his own sole enjoyment; and here stepped in the Occasional Conformist, by a legal quibble and an act of palpable insincerity, to reap a share in the spoil. There was still a third class of Casual Conformists, less odious to him than to the serious classes of Conformists. These were the very considerable body who had little or no religion, and who were as ready to participate in the rites of the Church of England as

to perform any other duty of an uninteresting kind. These were the objects of sweeping general attacks on the growing immorality and infidelity of the age; but they lived on, enjoying their emoluments in personal peace, all the rancour of attack being against those who seriously professed religion, but a religion of the wrong kind.

Calamy, in narrating a conference with Bishop Burnet at the climax of the Occasional Conformity contest, says: "We told his lordship, that the communicating with the Church of England was no new practice among Dissenters, nor of a late date, but had been used by some of the most eminent of our ministers ever since 1662 with a design to show their charity towards that Church, notwithstanding they apprehended themselves bound in conscience ordinarily to separate from it; and that it had been also practised by a number of the most understanding people among them before the so doing was necessary to qualify for a place."¹

Among the casual but instructive traces of a sympathy between the Low Churchman and the Non-conformists, it is something to find the sincere mind of Calamy deriving comfort in these words of the restless casuist Chillingworth: "If a Church, supposed to want nothing necessary, require me to profess against my conscience that I believe some error, though never so small and innocent, which I do not believe, and will not allow me her communion but upon this condition — in this case the Church, for requiring this condition, is schismatical, and not I for separating from the Church." And

¹ Historical Account of my own Life (2d ed.) i. 473.

as an example: "If there were any society of Christians that held there were no antipodes, notwithstanding this error I might communicate with them. But if I could not do so without professing their belief in this matter, then I suppose I should be excused from schism if I should forsake their communion rather than profess myself to believe that which I do not believe."¹

It is perhaps rather curious than important to find instances where the secular pomps of the Occasional Conformist in the office that his conformity had enabled him to fill are transferred to the conventicle. The most conspicuous among these incidents is a few years older than the period we are now in, but it worked itself into the history of that period as a picturesque object of violent criticism from both sides. It is thus told: "In November 1697, King William, passing through the city, Sir Humphry Edwin, Lord Mayor this year, carried the sword before him, according to custom, in a gown of crimson velvet.

"This gentleman not only worshipped God publicly with the Dissenters according to his usual custom, but carried the regalia with him, which very much disgusted many of the Church of England. Tragical were the exclamations and complaints made on this occasion. Among others, Dr Nichols tells the world that, 'to the great reproach of the laws and of the city magistracy he carried the sword with him to a nasty conventicle that was kept in one of the city halls; which horrid crime

¹ Quotation from "Religion of Protestants, a Safe Way to Salvation."
—Calamy: Own Life, i. 228.

one of his own party defended by giving this arrogant reason for it, that by the Act of Parliament by which they have their liberty, their religion was as much established as ours." Calamy, at the conclusion from this his translation from the Latin of the angry High Churchman, remarks apologetically,—
"Many heartily wished that this action had been waived, as tending to enrage, yet were utterly to seek for the horridness of the crime. Nor could they discern the great arrogance of the plea when the religion owned in churches and meetings, having the same object in worship, the same rule of faith and life, the same essential principles, and the same aim and creed, cannot differ in any capital matter. The allowance of the law is of necessity a sufficient establishment. However, this measure drew unhappy consequences after it, both in this reign and in that which succeeded." ¹

How easily Dissent could shake hands with Establishment is curiously exemplified in an incident coming under the close personal notice of Calamy. His neighbour and fellow-Nonconformist, Mr Oldfield, had been offered a solid preferment in the Church, through the intervention of a friend who owned a cure in the Establishment. Oldfield, after maturely considering the offer, was constrained to reject it, but as it would be a decided advancement to his friend whose living was less lucrative, he naturally put the question, Why not take it yourself? No. His friend had undergone a change of opinion since he had entered on his present charge. He could not repeat what he did then. There was nothing in the duties

¹ Calamy: Own Life, i. 400, 401.

of his charge to offend his conscience, but there would be in the ceremonial and obligations incident to the acceptance of any new charge. It might be difficult to admit the sufficiency of so narrow a scruple were it not strengthened by the substantial nature of the sacrifice rendered to it.¹

We must suppose that in such instances had the scruples come before the time of taking orders in the Church of England the orders would not have been taken, but the scruple was not strong enough to drag the acceptor back. On the other hand, there was little disposition to stigmatise the passing from Dissent into the Establishment; and it did not always earn the character of vile and treacherous apostasy so apt to be attributed to such defections by narrow and exclusive religious communities. Such communities are generally fastidious in securing their church edifices and other temporalities from all risk of passing into heterodox hands; and hence, while under the impression that because they take no endowments from the State they are free from the authority of the secular arm, they often become entangled in costly and harassing litigations, dragging their ten-

¹ He would fain have yielded to the temptation "in hope of his doing good, and being more useful than he had any prospect of being in the state he was in; yet, as for the changing of his living he must be excused; adding, that though he had no scruple remaining when he took possession of his living, against giving his assent and consent, and was not willing to lose the capacity of service he was in by that means, yet, as to giving his assent and consent now, he had such objections against it as he could not get over."—An Historical Account of my own Life, &c., by Edmund Calamy, D.D.: i. 266. The editor of Calamy's life remarks that the same incapacity to accept promotion overtook Dr Samuel Clarke. He was satisfied to remain rector of St James's, but as to further preferment, "he would take nothing which required his subscription to the Thirty-nine Articles."

derest mysteries through scornful criticism on questions of ownership of lands and buildings. It has been noted that the titles to the church edifices of Dissenting bodies at that period were often so adjusted as to facilitate absorption into the Establishment on the removal of existing impediments to an ecclesiastical fusion.¹

Calamy tells us how, in his capacity of spiritual adviser, he was consulted by a gentleman "who has publicly declared himself in his judgment on the side of the Nonconformists as to their capital plea of a further reformation both as to worship and discipline, and has publicly communicated with them at the Lord's Table as well as with the Established Church, and has pleaded for such interchangeable communion with each party as requisite to the supporting that little charity that there is yet left amongst us." The practical question on which he sought solution and assurance was, "whether such a gentleman may with a safe conscience for a while withdraw from all the worshipping assemblies of the Nonconformists, in hope and prospect of a considerable public post in which he may (probably) be capable of doing much service to the public, and particularly of serving the

¹ It naturally occasionally happened that the transference of the property to the Establishment had not the unanimous assent of all concerned—pastor and flock. The great pulpit orator, Daniel Burgess, lost his chapel in Drury Lane—a spot he loved as best suited for the exercise of his powers, since it was in Queen Anne's reign, as it remained long afterwards, the centre and headquarters of the profligacy of London. The building does not now exist, but its site is easily recognisable, as it stood between the dreary little churchyard of Drury and the theatre. When the building passed to the Establishment it was repaired and decorated, and the raising the funds for this purpose by a theatrical performance, gave Defoe an opportunity for enlivening the town with a witty lampoon.

cause of charity by his interest and influence." After much meditating and balancing of possible results to the cause of sound religion, the honest divine came to the conclusion "that such a gentleman would better maintain his own reputation and more effectually secure his general usefulness, and particularly be more capable of serving the cause of charity among us, by a continued open adherence to his professed principle, and public acting according to it, than by a politic compliance with such as lay nothing less to heart than religion."¹ This occurred in the year 1706. The date is of some interest, as at an earlier period the conditions might have pointed to Harley. But he had cleared himself of all entanglements years earlier, and in 1706 was Secretary of State.

In the autumn of 1702, Mr Bromley moved the Commons to consider "the shameful practice of occasional conformity which had introduced men of republican principles into the chief places of profit and trust, and was likely to be fatal to the Government and Church established, if recourse were not had to such measures as were capable of eluding its design."

Leave was given to Bromley, who was member for the University of Oxford, along with Annesley, who represented the University of Cambridge, and Henry St John, to bring in a Bill "to Prevent Occasional Conformity." On the 17th of November it was read a second time, and committed. The preamble was,—“As nothing is more contrary to the profession of the Christian religion, and particularly to the doctrine of the Church of England than per-

¹ Calamy : Own Life, ii. 56-59.

secution for conscience sake." And to establish a harmony between this announcement and the legislation it announced, it is set forth as a desirable object to give full effect to the Toleration Act of 1689, which had been evaded by Dissenters finding their way into the offices, whence it was the intention of the Toleration Act to exclude them. To complete the object of the Toleration Act, by accomplishing this exclusion, the Bill provided that every person qualifying for and obtaining office, who afterwards attends a religious meeting or conventicle, where there are present more than five persons, besides the family of the house where it is held, is to forfeit a hundred pounds, and five pounds for every day of exercising the functions of his office after such attendance.

Several amendments on the Bill were carried in the Lords, the most important being the reduction of the penalty from £100 to £20. A free conference was adjusted, but the two Houses could not be brought to a concurrence, and the Bill dropped.

In the session of 1703 the Bill was again carried in the Commons, but lost on a second reading in the Lords. The debate there was adorned by a speech from Bishop Burnet, coming down to us in a shape so closely in harmony with the opinions expressed in his books that we may count it among the very rare authentic examples of the parliamentary oratory of Queen Anne's reign.¹

¹ Speaking of the meaning of the term "occasional conformist," he said : "I myself was an occasional conformist in Geneva and Holland. I thought their Churches were irregularly formed under great defects in their constitution, yet I thought communion with them was lawful, for their worship was not corrupted ; but at the same time I

Calamy tells us that "the Archbishop of Canterbury—Tenison—made a warm speech upon this occasion, in which among others there were these expressions: 'I think the practice of occasional conformity, as used by the Dissenters, is so far from deserving the title of a vile hypocrisy, that it is the duty of all moderate Dissenters upon their own principles to do it.'"¹

In this second defeat the champions of the measure were interrupted but not stopped. They pursued their one object with a singleness of purpose and a tenacity that drew people's eyes towards them as to a

continued my communion with our own Church according to the liturgy of this Church with all that came about me. And if the designs of some of the promoters of this Bill should be brought about, and I driven beyond sea—unless, among other unpardonable people, I should be first knocked on the head—in that case would communicate with the foreign Churches. So I think conformity with a less perfect Church may well consist with the continuing to worship God in a more perfect one. It remains, then, a point of opinion which Church or society is the more and which is the less perfect. In this I am very sure our Church is the more perfect and regular, and that the separation is founded upon error and mistake, and that true edification is among us and not among them. But some of them, by an unhappy education, think otherwise, and in this they are certainly to blame as they are in every part of the separation. But if it is intended to tolerate them under their other mistakes, I do not see why this should not be tolerated likewise, since it is much less dangerous than the other practices that are not at present complained of."

The bishop in his peculiar gossiping way gave the House of Lords the following note of the relations to each other of Churchmen and Dissenters in and around Salisbury:—

"In my diocese, those who are Occasional Conformists out of principle, who sometimes go to church and go sometimes to meetings, are without number, who yet have no office and pretend to none. I confess I do not desire to press it too hard upon them, that they may not do both; but this, instead of keeping them from meetings, hinders them from coming to church."

¹ Life, ii. 26. There is no report of this speech in the Parliamentary History, but it will be found in a pamphlet referred to farther on.

body who had separated themselves from the ranks of ordinary political parties to give themselves over to the devoted pursuit of a separate object. They gained at this time the name of the High Church party, opening a new division in ecclesiastical politics sufficiently famous as High and Low Church.¹ High Church was in a few years to have its triumph from causes not yet anticipated, but meanwhile the Occasional Conformity project had to be fought through difficulties. The empire was throughout shaken by various disturbing influences. There was the great war abroad, and the war at home between the two Houses in the Aylesbury Election case. There was the Scotch Jacobite plot of 1703; and more formidable, the Act of Security, severing the realms on the death of the queen.

On the 14th of November 1704 leave was again given to bring in a Bill against Occasional Conformity. On this occasion the irrepressible Mr Bromley and his followers conceived a grand idea in the tactics of parliamentary conflict. The nation had thrown itself into the great war, in the conviction that nothing but the

¹ The passage here following from the speech by Bishop Burnet just referred to is instructive, as showing us that, at the time when he spoke, the beginning of the year 1704, the nomenclature of "High Church" and "Low Church" was only working itself into articulate meaning. "One author, who has wrote two books on behalf of this Bill, is known to be the furiosest Jacobite in England, and does not conceal it even in those books. In one of these he says he is once called an 'High Churchman.' These are new terms of distinction. I know no High Church but the Church of Rome; and that author, L— [Lestrange], has in another book showed us how near he comes to that Church when he proposes that a treaty may be set on foot between our Convocation and the Assembly of the clergy of France; and that we should abate the Regal supremacy and they the Papal, and then he fancies all other matters could be easily adjusted; so here we see who are to be called High Church."—Parl. Hist., vi. 162.

prostration of France would save the Protestant religion and the remaining liberties of Europe. After a crisis of intense anxiety, the victory of Blenheim showed that the grand object was accomplished, if the ordinary human means were taken to keep what was gained. Foremost among these was the money which England only could furnish. It was needed for many purposes—to keep Gibraltar, which had just been gained, but more essentially to give effect to a treaty by which the King of Prussia was to supply a contingent of £8000 for the relief of the Duke of Savoy; and if the necessary funds were not available, all might yet be lost. Here, then, was the opportunity. Mr Bromley concluded an address by moving, "That the Bill to Prevent Occasional Conformity might be tacked to the Land Tax Bill."

The announcement of such a project points to the conditions of a time when parliamentary tactics had not achieved the adjustment now long so effectively secured, which enabled the three forces—the Crown, the Lords, and the Commons—to work smoothly together, and avoid the scandal of attempts to trip each other up. Tacking was a remnant of the old policy of Parliament to seek redress of grievances and secure conditions on the occasion of voting a supply to the Crown. It had been sometimes used in the reign of Charles II., but even then never so palpably with the view of bullying the whole forces of the Legislature to further the objects of a section as on this occasion. But as it was a factious attempt, so it was left in the hands of the faction that devised it. Some questions of secular politics had become mixed with the cause of the Dissenters. In the

corporations especially, there were instances where the balance of power might be shaken so as to affect seats in Parliament if the Dissenters were politically paralysed. The nature of a tack suggested more dangerous suspicions. Its object was to compel the Lords and the Crown to pass the Bill with its tack to obviate all the ruin that must attend the stopping of the war. But what if the Lords and the Crown, as desperate as the Commons, should accept the alternative and reject the Bill? It was believed that many Jacobites rather lamented than gloried over Marlborough's victories, as blasting the hopes they nourished of aid from France. These considerations drew off a portion of the supporters of the original Bill; and "upon the division the tack was rejected by a majority of 251 voices against 134."

The Bill, with the severity of its penalties modified, was carried in the Commons and sent up on the 14th of December to the Lords. There it perished by a majority of 71 to 51 against the second reading.¹

¹ The sources of information on the dispute generally are gathered up pretty amply in the *Parliamentary History* (vi. 59-369). There is an animated account of the whole contest in a pamphlet with this title: "The Proceedings of both Houses of Parliament in the years 1702, 1703, 1704, upon the Bill to Prevent Occasional Conformity, interspersed with Speeches for and against the Bill, most of which were never before printed. London: printed by Baker, at the Black Boy, in Paternoster Row, 1710." This pamphlet is more discursive than the account in the *Parliamentary History*, and its discursiveness professes to be in support of the measure and the laudation of its champions. But there is a grotesque excess of zeal in this laudation, apt to remind one of "The Shortest Way with the Dissenters." The loss of the tack in the Commons having been told, a list of the minority who voted for it is prefaced thus: "Since it may be looked upon by succeeding ages as a piece of injustice to the present not to give them the names of such as have rendered their memories pretious to posterity by asserting the

The excitement about the Occasional Conformity seemed to be at its climax when it caught an additional impulse from the renowned pamphlet called 'The Shortest Way with the Dissenters.' This struck a responsive nerve in all ecclesiastical parties—Romanists, Nonjurants, High Churchmen and Low Churchmen of the Establishment, and all grades and classes of Nonconformists. It had something of a bewildering character, that drove the excited readers into false positions. There is no doubt that it raised terror and wrath among the Dissenters. It is said, on the other hand, that some High Churchmen received it with warm sympathy and loud applause.¹

cause of God in so noble a manner as those who were for tacking the *occasional* to the *money* Bill, I shall not quit the proceedings of this remarkable year without subjoining the following list." It is noticeable that in this pamphlet the oration by Bishop Burnet in the House of Lords is printed at full length, as if to afford an immediate contrast between its dignified spirit of toleration and the narrow bigotry of the "Tackers." The treatment of Episcopacy in Scotland is told with clearness and vigour. The avowed moral of the story is to let Churchmen see how dangerous the Dissenters might become in England if they were to rise through toleration to the supremacy enjoyed by their Presbyterian brethren in Scotland. But it is possible to believe in a broader latent policy of inviting the High Churchmen to consider whether they had been doing as they would be done by. It is observable that the pamphlet bears the date of 1710, when the High Churchmen were waxing in strength until they were able at last to carry the law for the suppression of Occasional Conformity.

¹ It is seldom easy to find strict historical evidence either for or against such rumours. Oldmixon, who is bitter on Defoe, and calls this "the smartest of all his venomous libels," says "it passed some time as the genuine work of a rank Tory, and met with applause in our two famous universities. A bookseller now living, having an order from a fellow of a college in Cambridge for a parcel of books, just at the time of publishing 'The Shortest Way,' put up one of them in the bundle, not doubting it would be welcome to his customer; who accordingly thanked him for packing so excellent a treatise up with the rest, it being, next to the Sacred Bible and Holy Comments, the best book he ever saw."—History, ii. 301.

Again the excitement drew new life when a suspicion began to creep abroad that it was a hoax, and the suspicion of perpetrating it naturally alighted on that restless pamphleteer Defoe, who had long declared himself to be the champion of the Dissenters. He had already marched into the battle-field of pamphleteering controversy in a tone of quiet earnestness not conformable with his usual tone, in rebuke of those who had yielded to the temptation of Occasional Conformity. It might have been fairly anticipated that one endowed with his easy political virtue would have found refuge in some one of the vindications of Occasional Conformity. But he was not of the men that may be counted on. He was stimulated by a wilful waywardness akin to honesty. Put Occasional Conformity in what shape his vindicators might, he would have none of it.¹

Much critical laudation has been bestowed on the subtlety of the sarcasm that could thus deceive the zealots into folly. But it is scarcely a sound com-

¹ "Nothing can be lawful and unlawful at the same time. If it be not lawful for me to dissent, I ought to conform; but if it be unlawful for me to conform, I must dissent. Several opinions may, at the same time, consist in a country, in a city, in a family, but not in one entire person. That is impossible." What, then, shall the Dissenter who aspires to office do? "Let him boldly run the risk, or openly and honestly conform to the Church, and neither be ashamed of his honour nor his profession. Such a man all men will value and God will own. He need not fear carrying the sword to a conventicle, or bringing the conventicle to his own house. But to make the matter a game—to dodge religions, and go in the morning to Church and in the afternoon to the Meeting—to communicate in private with the Church of England, to save a penalty, and then go back to the Dissenters, and communicate again there,—this is such a retrograde devotion that I can see no colour or pretence for in all the sacred books."—A Discourse upon Occasional Conformity. Collection of the writings of the author of The True-born Englishman, i. 313, 315.

commendation of any literary effort that, but for an accidental discovery it might have missed its aim. It might have gone down through a short period of angry contest into oblivion with thousands of other better utterances of its day. Such a fate does not appear to have been averted by any revelation made by Defoe himself—indeed he was fully aware that to be the known author of such a pamphlet was to be in peril.

Defoe was not an accomplished satirist, in the sense of leaving behind the touch of the poisoned sting, that in either of his contemporaries, Swift or Tom Brown, would have revealed the work of his hand. Defoe turns about his victim with a resistless but good-humoured jocularly, showing his strength rather than his venom. On this occasion the accomplishments of the satirist had to give place to those of the mimic or personator, where Defoe was supreme. He metamorphosed himself for the time into the haughty High Churchman, "whose reddening cheek no contradiction bears;" as years afterwards he metamorphosed himself into the shipwrecked sailor, whose dreams are disturbed by the pitiful prattle of his parrot, and who looks aghast on the footprints on the sand.

'The Shortest Way' is a work of high rhetorical art, modelled after the example set by him who imagined the speech of Antony over the dead body of Caesar. The beginning is calm, gentle, charitable, with a touch of sadness over the fate of those steadfast clergymen who had either to sacrifice their worldly fortunes to their loyalty, or wrong their consciences by accepting the oath to the Revolution

Settlement. There is a touch of inevitable yet half-suppressed indignation when the case of the Church in Scotland is casually noticed. "If any man would see the spirit of a Dissenter let him look into Scotland; there they made entire conquest of the Church, trampled down the sacred orders, and suppressed the Episcopal government with an absolute, and, as they suppose, irretrievable victory." "Pray, how much mercy and favour did the members of the Episcopal Church find in Scotland from the Scotch Presbyterian government? I shall undertake for the Church of England that the Dissenters shall still receive as much here, though they deserve but little." It was naturally unlikely that readers were here to recognise the hand of him who, when he spoke for himself, ever commended the moderation exemplified by the Presbyterians of Scotland when they gained their victory over their enemies in the Revolution Settlement.

In these and suchlike casual sallies the pent-up wrath takes vent, until the sympathising reader is keen to have it all; and at last he is gratified, for it can be no longer restrained. The "hot and cold objector" mutters "cruelty" and is answered.

"'Tis cruelty to kill a snake or a toad in cold blood, but the poison of their nature makes it a charity to our neighbours to destroy these creatures—not for any personal injury received, but for prevention; not for the evil they have done, but the evil they may do."

"Serpents, toads, vipers, &c., are noxious to the body and poison the sensitive life—these poison the soul, corrupt our posterity, ensnare our children,

destroy the vitals of our happiness, our future felicity, and contaminate the whole mass."

When the secret was discovered there was a cry for the punishment of the man who attributed such opinions to the High Church party. It has been maintained that punishment in such a case was signally illogical, since passages of a like tenor could be found in the writings of High Churchmen, especially those of their champion Sacheverell; and that they were mistaken for the utterances of some one among the High Churchmen only indorsed the fundamental truth of the charge implied by the pamphlet, that it spoke their true sentiments. But if there is to be punishment at all for clever lampoons and other passages of controversial party warfare, it might be as well vindicated in this as in many other instances. If it was true that Sacheverell said such things, was he not held to be a criminal for doing so, and was it not an offence for one citizen to fabricate criminal utterances, so that other citizens might be charged with them? A blow had been struck at a party waxing strong and intolerant, and there was retaliation in the usual way. Indicted at the Old Bailey for a seditious libel, he believed that his safest course lay in a simple plea of guilty. Whether or not he was led to expect leniency he did not obtain it. His punishment was to stand three times in the pillory, and then be imprisoned until he should pay a fine of two hundred merks, and find security to keep the peace for seven years.¹

Defoe had friends, personal or political, sufficiently sincere to afford him a guard of honour on the occa-

¹ See Life and Times of Daniel Defoe, i. 70.

sion when he stood in the pillory. It depended on the temper of the times whether in London this was a service of danger. They were able to protect him from injury and insult. This was in the summer of the year 1703. Had it been seven years later there would have been imminent risk that he and his champions might have been torn to pieces by a High Church mob.

At this point it becomes necessary to reveal a document that must touch the fame of Defoe in the eyes of all who may not believe that the chief advisers of the sovereign had conspired with her to blacken it. The document is a private letter from Godolphin to Nottingham, and it tells its own story with a distinctness and precision rendering unnecessary either explanation or comment.

"Mr William Penn came to tell me he had acquainted my Lord Privy Seal that Defoe was ready to make oath to your lordship of all that he knew, and to give an account of all his accomplices in whatsoever he has been concerned, provided by so doing he may be screened from the punishment of the pillory, and not produced as an evidence against any person whatsoever. And upon my acquainting the queen with this just now at noon, her Majesty was pleased to tell me she had received the same account from my Lord Privy Seal, and seemed to think this, if there were no other, occasion for the Cabinet Council to meet here to-morrow, and has commanded me to tell you so."¹

One can imagine a touch of comic risibility gleaming in Defoe's thoughts when he succeeded in sending

¹ 17th July 1703. Mus. Brit. Addl. MSS., 29589, 628.

the sternly earnest Quaker on such an errand. Though unsuccessful in averting his fate, it amply proves how important a person the London tradesman had become. Penn was then in the full blaze of one of those visitations of sunshine from the Court that so strangely broke in on the sombre tenor of his life. The two chief ministers of the Crown take council with the queen, and there is to be a special meeting of the Cabinet. There will be the less to surprise us in this affair when we make better acquaintance with Defoe, and perhaps find that, whatever wealth of virtues he possessed, scrupulosity as a public man was not among them. In the sequel we are told on the same authority that, "as to Defoe, the queen seems to think, as she did upon your first acquainting her with what he said, that his confession amounts to nothing. However, she is willing to leave it to the Lords of the Committee to let the sentence be executed to-morrow, or not till after Sunday, as they think proper."¹

¹ 22d July 1703, ib. f. 44. The following memorandum takes significance as having been indorsed by the Duke of Leeds:—

"Daniel Defoe, the author of the review, is no Frenchman, but born here in England, bred an hosier, and followed that trade till he broke for a considerable sum. His creditors run him into an execution of bankruptcy, he having fraudulently, as they seem assured, concealed his effects; so that his reputation among the fair dealers of the city is very foul. He is a professed Dissenter, though reckoned of no morals. He wrote a libel, as soon as her Majesty came to the throne, called 'The Shortest Way with the Dissenters.' He personated the Churchman, and under that disguise would, by the villanous insinuations of that pamphlet, have frightened the Dissenters into another rebellion. My Lord Nottingham, then Secretary, hunted him out, proved him the author, and had him pilloried for it. That is the ground of his fury and rage against a loyal and Church Ministry. This makes him so zealously engage and so seditiously express himself against the queen's employing honest men. He is certainly paid well for his pains by a party, for he bestows the copy, which hardly bears the expense of the press. He lives on Newington Green, at his father-in-law's house, who

Before we deal with the events bringing up the great issues between England and Scotland, some casual disturbing elements in the latter may be noted as a portion of the religious difficulties of Britain. The Episcopal Church party were regaining heart after their defeat. The suffering Episcopal clergy adopted a humble address to the queen, representing the deplorable condition of the National Church "since the suppression of the truly ancient and apostolic government of the Church by bishops," and lamenting over the disgrace brought on a Christian land, wherein those consecrated to the altar lacked bread and were dispersed as wanderers. They sought mere toleration. Nothing ever written could be more reasonable than their appeal. But in the career of a nation, when swept by a frenzy of rage and terror, reasonable claims may arise of a kind that it is disastrous to proclaim, and perilous even to whisper. The simple word Episcopacy was associated with national memories not only of the odious but of the perilous. The bloody work of what tradition called "the Killing times" had not in the moment of signal triumph been avenged in blood. Unlike the sanguin-

is a lay elder of a conventicle there."—Mus. Brit. Addl. MSS., 28094, f. 65.

Defoe denied that he kept a hosier's shop, and called himself a "hose factor." He had probably established a connection with the wool-producing districts for bringing their knitted produce to the London market.

Nottingham writes to Godolphin: "The person who discovered Daniel Foe—for whom a reward of £50 was promised in the 'Gazette'—sends to me for his money, but does not care to appear himself. If, therefore, your lordship will order that sum to be paid to Mr Armstrong, I will take care that the person shall have it who discovered the said Foe, and upon whose information he was apprehended."—25th May 1703. Calendar Treasury Papers, ii. 153.

ary Huguenots, from whom they drew their inspiration, the Presbyterians of Scotland had been signally moderate to the enemy at their feet. The "curates," as the Episcopal clergy were called, were no doubt "rabbled;" and this was an unpleasant ordeal to those who had been accustomed to hunt the rabble.

At this juncture, indeed, the safety and comfort of the scattered remnant of the hierarchy depended chiefly on the weakness that kept them passive and silent. This lay not entirely in the inferiority of the number of their followers; for in some of the northern counties the friends of Episcopacy predominated so as to be able to resist the intrusion among them of Presbyterian pastors. But whether few or many, they wanted a faculty of cohesion and combination sufficient for collective action. On the other hand, under the fostering care of the Revolution Settlement, the Presbyterian organisation had waxed strong. It was proving itself to be the most powerful of priestly arrangements for an isolated community. Episcopacy did not come into existence to supply the spiritual wants of independent states. It grew, indeed, out of conditions that made each national church a mere brigade, to be, with all others, at the command of the Bishop of Rome. Presbyterianism took its strength from the opposite direction—from its peculiar element, rooted, as it were, in the solid earth, and feeding the growing structure with healthy life, till it flourished like a green bay tree.

Thus Presbyterianism was strong in Scotland, but not strong enough at this critical point to be careless about the tenor and object of any curative measure likely to give vitality to Episcopacy. In fact,

a new element of danger—an element of indefinite force—had just appeared. Episcopacy was the great ruling feature that made England now foreign to Scotland. Casting Episcopacy on the ground again as it had been cast by the Westminster Assembly was the great achievement that Scotland had succeeded and England had failed to accomplish by the Revolution.

It was rumoured that there was something in the air more formidable than the mere bleating of the sheep in the wilderness. The queen, known to be an ardent devotee of the Episcopal Church of England, had written something about the Episcopal remnant in Scotland. It was in the form of a letter to her Secret Council of Scotland, and the Estates were determined to see that letter in open Parliament. It revealed to them a document adjusted to the emergency with great sagacity. The antithesis of the fixed ecclesiastical conditions of the two countries is at once emphasised in the opening sentences. "We do, in the first place, recommend to your care the Church, now established by law, in its superior and inferior judicatures—such as sessions, presbyteries, synods, and general assemblies; as also in the exercise of their holy functions, and what concerns their persons and benefices." Then follows: "We are informed that there are many Dissenters within that kingdom who, albeit they differ from the Established Church in opinion as to church government and form, yet are of the Protestant reformed religion." The High Churchmen of England were just then girding for a war of extermination against their own dissenters by the Bill for suppressing that middle party who sought refuge in Occasional Conformity. The

letter further announced: "It is our royal will and pleasure that they should be directed to live suitably to the reformed religion which they profess, submissively to our laws, decently and regularly with relation to the Church established by law, as good Christians and subjects, and in so doing that they be protected in the peaceable exercise of their religion, and in their persons and estates, according to the laws of the kingdom." Surely it must have been painful to the crowned champion and devoted adherent of Episcopacy, as represented in the Church of England, to sue thus humbly for a sister Church. And yet the appeal received the most humiliating of repulses in the shape of silence.¹

¹ The letter is not set forth in the minutes of the Estates, where it is said that, having been demanded, "the said letter being accordingly brought in and read, was immediately returned to the clerk of the Privy Council."—Act. Parl., xi. 47. I find the letter quoted at length in a broadside of the period.

CHAPTER III.

Domestic Affairs.

THE GREAT STORM—DEVASTATION AMONG BUILDINGS—EFFECT ON THE NAVY—EVELYN'S EXPERIENCE IN FORESTS—THE BATTLE BETWEEN THE LORDS AND COMMONS, KNOWN AS THE AYLESBURY ELECTION CASE—ITS GREAT SIGNIFICANCE AS A CONSTITUTIONAL INQUIRY—THE EMINENCE OF THE MEN BROUGHT INTO THE DISCUSSION—ESCAPE OF THE CONSTITUTION FROM THE DANGERS APPREHENDED.

THE duty of the historian takes its pleasantest shape when he finds a continuous evolution of causation accompany events in their chronological succession. But it is sometimes necessary to drop the chain of causes and effects winding into each other; and so it is when some great event, portentous to mankind, is not the result of man's passions and actions, but a dispensation such as we can neither create nor obviate, and cannot even foreknow. Such was "the storm" of 1703. Its causes are hidden among the undiscovered secrets of the structure and physiology of the universe, and beyond its own immediate disasters, it left no seeds to ripen into like events. It stands alone in history as "The Great Storm." It made itself felt all over Europe, but it especially swept the British Islands on the night of the 26th of November

1703. London being the greatest assemblage in the realm of people, edifices, and wealth, gave it the largest surface for attack, and bore the most numerous and emphatic marks of destructiveness. The fragile houses built in the area that had been swept by the fire were tossed about like houses of cards, and caused many cruel tragedies, while there were also some curious and grotesque escapes of people whose perilous position seemed absolutely to doom them. There were inundations of the rivers, and the Thames swept through Westminster Hall. On the shores of all the roadsteads lay drowned bodies with fragments of wreck and heaps of drenched cargo. Even the ships, built with superfluous strength to meet the exigencies of war, suffered.

We have from a thoroughly competent authority, this account of the rough and almost fantastic handling of a portion of the English navy posted off the coast of Holland. "The storm' drove the *Veigo*, *Rochester*, *Swan*, and *Newport*, with about twenty of the transport ships, from their anchors ashore in the country, where some of them will never get off. It put the *Veigo* upon the west pier head at *Helvoetsluys*, when the men had just time to save their lives and down she sunk. The rest of her Majesty's ships are got off and safe. The *Russel* was drove from her anchor, with *Sir Cloudesley Shovel*, and after beating over the *Hynder sand*, put ashore about three miles to the westward of *Helvoetsluys*. We have got out all our guns and stores, and have some hopes of saving her hull. We have yet no news of the rest of the ships with *Sir Cloudesley Shovel*, nor of *Admiral Cullenberg*. . . . There are about 150 sail of

merchant-ships lost in the *Downs* and *Yarmouth Sands* with their men. The poor *Prince of Hesse Darmstadt* has lost all his servants but five, and all he has in the world, in a ship driven out of the *Downs* and lost upon the *Ely Island*, on the north coast of this country."¹

A calamity that seemed to touch the power of the navy was matter of instantaneous and unanimous action in the Commons, who would have to vote the remedy; and they promised to find the money for the cost of immediate restoration, giving assurance "that they could not see any diminution of her Majesty's navy, without making provision to repair the same; wherefore they besought her Majesty that she would immediately give directions for repairing this loss, and for building such capital ships as her Majesty should deem fit, and to assure her Majesty that, at their next meeting, the House would effectually make good that expense."

Irreparable and inestimable mischief was dealt to many monuments of national architecture, and among these, conspicuous for its noble beauties and their defacement, was the chapel of *King's College* at *Cambridge*. The wind seemed to enjoy a furious revelry in pitching down the steeples of churches, and rolling up the leaden roofs, as a skilful draper rolls his web of cloth. Masses of brick and stone were torn from the *Palace of St James's*; and it was noted that the queen, with her husband and her maids of honour, rose at midnight, and formed themselves into an anxious group, as if it were becoming that the sove-

¹ Admiral Sir George Rooke—The Hague, 23d December 1743.—MS. Mus. Brit.

reign should be on the watch while powers so awful and mysterious were dealing destruction among her people.

Through all these incidents the hurricane showed no respect of persons, but another seemed to point at distinction and selection. The Bishop of Bath and Wells, along with his wife, was killed in the episcopal palace, crushed under a stack of chimneys. Now this bishop was Richard Kidder, who had acquired his bishopric when the sainted Bishop Ken had abandoned it as a sacrifice to his resolution to abstain from the Revolution Oath, though he was one of the immortal seven who went to the Tower in protestation against interference with his ecclesiastical conscience from the opposite side. It is creditable to the fundamental good sense of England at the period, that allusions to the possibility that the whole terrible affair of the storm was a special organisation for manifesting, with all attributes of sublimity and horror, the divine vengeance for the expulsion of the Nonjuror, are rare.

John Evelyn was a sufferer from the storm, and refers to his own losses and those of his friends in his delightful book, 'Sylvia; or, a Discourse of Forest-trees.' After casual allusion to superstitions about the groaning of storm-shattered forests, he comes home and finds,—“But, however this were, methinks I still hear—sure I am that I still feel—the dismal groans of our forests when that dreadful hurricane subverted so many thousands of goodly oaks, prostrating the trees, laying them in ghastly postures, like whole regiments fallen in battle by the sword of the conqueror, and crushing all that grew

beneath them. . . . The public accounts reckon no less than 3000 brave oaks in one part only of the Forest of Dean blown down; in New Forest, in Hampshire, about 4000; and in about 450 parks and groves, from 200 large trees to 1000 of excellent timber, without counting fruit and orchard trees *sans* number;—and proportionally the same through all the considerable woods of the nation. Sir Edward Harley had 1300 blown down; myself about 2000, several of which, torn up by their fall, raised mounds of earth near twenty feet high, with great stones entangled among the roots and rubbish.”¹

“The great storm” is an incident now more than a hundred and seventy years old. Throughout that long period no elemental riot has occurred sufficiently egregious to invite a comparison with it. Thus, as time passed, it became ever more and more distinguished in the isolation of its own unrivalled grandeur. Does this give us a right to expect exemption—to count that the last of such outbursts of elemental wrath is past? Hardly. In the law of storms science has done little more than to warn us of the approach of the enemy, so that we may take such steps for defence as may fall within our power. Yet there have arisen, though feebly and dubiously, some

¹ Sylvia, ii. 350.

The Irish have their own peculiar way of dealing with exciting occasions. An absentee landowner receives the following morsel of intelligence:—

“Dec. 11, 1703.—Mr Dixon writes me word that the great storm has blown down one of my barns, and that my tenants are run away. The latter I expected long ago, and endeavoured to persuade him to be beforehand with them, but could not prevail, and so have lost above a year's rent and the damage occasioned by the storm will be at least £20 more out of my way.”—Ellis Correspondence, MS., B.M., No. 28,932, f. 114.

comfortable suggestions that the conditions affording material for the brewing of a storm of a character so comprehensive no longer exist, having been absorbed by the widening area of cultivation on the surface of our islands. It has been observed that in all the more recent occasions of elemental destruction the cause has been found to exist in some local speciality—mountain torrents, swamps, sudden thaws on the mountains; and in regions of perpetual snow, the mysterious movements of the glacier. The destructive floods, for instance, in the rivers flowing from the Grampians in the year 1829 had a special local cause, giving a lesson that might have been better studied than it has been. Why was it that a rainfall,—only a little above the heaviest that had occurred in previous years, and passed peacefully to the sea in swollen rivers,—had not only swept away bridges and drowned villages, but had actually torn mountains to pieces? It was because the cisterns of water quiescent in the hearts of the mountains had burst their stony sides, under the curious law of hydraulic pressure. That is part of the dynamics of the elements now thoughtfully studied, because money can be made by acquaintance with it. The engineer, with a pump, a tube, and a few gallons of water, can take by it the power of fifty horses; and possibly some ten per cent of rainfall above that of other years might give power sufficient for rending mountains.

Let us turn to a contemporary storm of a different character. There had passed, almost silently, from the last Parliament elected under King William into the first elected under Queen Anne, a quarrel between the

two Houses of the English Parliament, destined to become memorable in the history of the constitution. It is known in history as the Aylesbury Election Contest, and in law-books as the case of *Ashby against Zouch*. Before it started into life as a contest between the two Houses, the affair seemed to have been buried among the thousands of squabbles raised in a general election. The writ for the Parliament was issued on the 26th of December of the year 1700, and the Parliament assembled on the 6th of February 1701. Whoever has taken the trouble of mastering the debates on this critical question, will feel little inclination to echo the words of those careless narrators who speak of it as an unseemly squabble between the two Houses, or a collection of arid speeches on profitless questions of form. Perhaps nowhere, within the same compass, is there crowded so much instruction and exemplification on the framework of our constitution as in the two great debates that arose out of the election on that occasion of a burgess or member of the Commons, representing the pleasant little town of Aylesbury, in the county of Buckingham. The discussion was enriched by contributions from the greatest lawyers of the age—Sir John Hawles, who had been solicitor-general to King William; Dormer; Sir Joseph Jekyll; three men who, each in his turn, sat on the wool-sack—Cowper, King, and Harcourt. There were political eminences, as Loundes, Strickland, Lord Hartington, Sir Edward Seymour, and Sir Christopher Musgrave; and less distinguished than these, at the time, were three names destined to fill the car of fame—Harley, St John, and Walpole.

The record of the debate has an eminent interest, from its peculiarity as the first significant political discussion or dispute that began and ended in peace. The constitutional discussions of the seventeenth century were all swayed and characterised by bitter enmities, actual war, and imminent danger. In the days of the Long Parliament it was war for very existence between prerogative and privilege; and the latest dispute of all ended in driving a king from his throne.

A writ had been issued to the sheriff of the county for the election of two burgesses to represent Aylesbury. The sheriff directed his precept to certain constables with whom the execution of the precept lay. The burgesses being assembled, Matthew Ashby, the plaintiff, maintaining that he was duly qualified to vote, tendered his vote for two candidates—Sir Thomas Lee and Mr Mayne; but the constable refused to receive it. Ashby then brought an action, tried at the assizes, where the end was a verdict in his favour, with damages amounting to £5. The case was carried to the Queen's Bench, where this judgment was reversed; and the elector, whose vote was rejected by the constable, was found to have no claim for damage on that account. The franchise on which the claimant tendered his vote had been adjusted by the Commons. In the words of Sir Joseph Jekyll, "Before the action was brought there was a resolution of the House of Commons that the right of election for the borough of Aylesbury was in the inhabitants not receiving alms. It is from that resolution the plaintiff hath taken his rise, and hath brought his action; for by his declaration he makes

his case to be, that he was an inhabitant of that borough, not receiving alms, and that the constables falsely and maliciously obstructed and hindered him from giving his vote at the election there."¹

The hero of this parliamentary contest was so close to the condition of penury that would have sunk him below the franchise, that, being a poor ostler struggling for a sordid living, he became chargeable on the parish while his name was yet the keynote of a mighty parliamentary struggle,—a struggle that might never have burst on the world had the poor ostler made his descent into pauperism more rapidly.

The case came to its climax when, on a writ of error, the judgment of the Queen's Bench was reversed by the House of Lords. This final finding by the Lords was favourable to freedom of election, since it opened up the question whether the constables could reject the vote of an adult male inhabitant of the borough, not in receipt of alms when he tendered his vote. But this was an act done by the Lords disposing of a question of membership in the Commons. It could not be denied that many incidental powers in the hands of divers persons might influence an election. The courts of law, in keeping the elector in possession of his territorial qualification, the sheriff taking steps for obedience to the writ, and the constables in receiving and recording the votes. But over all this, when the question settled itself down upon the issue of possessing a seat in the House, the Commons professed to be a club entitled to reject or accept their companions within the sacred precincts. They could

¹ Parl. Hist., vi. 271.

not decide a question of territorial possession. They could not put a witness on oath as that is done by a court of law. They could not find one disputant before them liable to pay damages to another. But when all these preliminary steps were disposed of, and the result came in the decision that some one had or had not a right to sit among them, then their supreme power over their own composition started into activity. This anomaly was a curious fruit of that jealous, separate independence that drove royalty from their door. The sovereign could not stand on the floor of the House of Commons, and consequently, the Commons could not make themselves a court of law and justice, because all such courts are animated by the royal presence and power, and the presence of the sovereign is a presumption of law in all of them, as it has been sometimes a reality in the House of Lords. The sovereign sought counsel in the administration of justice among the judges of his supreme courts, and among the members of the House of Lords. But he sought no counsel in the other House, because he was jealously excluded from it.

It was admitted that from the first irregularity or illegality at the hustings, the Commons could do nothing towards a remedy until the case became ripe for the Lords to correct it, and then the Commons could speak and say,—You shall not; it is our function. But when their jurisdiction did open, it went back over all the stages to justify the vote that had been rejected by the constable, and decide how the election would be affected by the admission of that vote, though it could not mulct the constable in damages for rejecting the vote. This position was stated at

an early stage of the dispute, was maintained throughout, and after all adjustment appeared to be buried in helpless complexities, it was uttered in this distinct shape:—

“Nor can any elector suffer either injury or damage by the officer’s denying his vote; for when the elector hath named the person he would have to represent him, his vote is effectually given both as to his own right and privilege and as it avails the candidate in his election: and is ever allowed when it comes in question in the House of Commons, whether the officer had any regard to it or no.”¹

While eloquence flowed at St Stephen’s, there came some practical hints that the elements of aggression and contest referred to by the orators were finding employment. It was maintained that if the affair lay with the House of Commons, that august body would be content to establish purity of election; but where would be the end if all concerned in an election had an action at law against some public officer?

“Suppose, as at Westminster, where I think there are 10,000 electors; or suppose it be as in some towns near Wales—for one of which I have the honour to serve—where the descendants of every burgess claim a right to vote, and by consequence, they will bring it in time almost to all the sons of Adam; for all the sons and all the daughters’ husbands, and all their descendants claim a right to vote. Now, what a miserable case must that officer be in when persons shall come from east, west, north, and south, and say their pedigree is so and so—for they are good at pedigrees in those countries,—yet, what a condition is he in?

¹ Parl. Hist., vi. 394.

He is bound to determine whether they have a vote or not; and though he is no lawyer or herald, yet, however, he is bound to give judgment one way or another at the peril of an action. And suppose but a hundred men shall bring their actions against the officer, what man can stand a hundred actions though he be in the right? There are not only these difficulties in the case, but there is revenge: and in popular elections, there are those heats and the voters engage with that animosity, that the losing side next day will be ready, perhaps, only for revenge, to send for a multitude of writs, and have the pleasure of ruining the officer who was against them, though he was in the right; for every one has a right to bring his action whose vote was disallowed, though it should be found at last that he had no right."¹

It tended to the realisation of this vision, that on the strength of the reversal by the Lords, not only did Ashby take out execution, but five other men claiming to be electors of Aylesbury brought actions against the constable for rejecting their votes. These five culprits were in their turn committed for breach of privilege, each on a separate order or warrant setting forth in detail the offence committed. At this point the Commons thought it necessary to address the Throne against any counter-action through the agency of her Majesty's courts of law, asserting "the undoubted right and privilege of the Commons of England in Parliament assembled to commit for breach of privilege: and that the commitments of this House are not examinable in any other court whatsoever." They could not especially be touched by

¹ Speech of Sir Thomas Powis, Parl. Hist., vi. 247, 248.

any "writ of error." At the same time they made inquiry as to the truth of rumours that certain persons had been "concerned in soliciting, prosecuting, or pleading" writs of *habeas corpus* or writs of error, on behalf of the persons committed; and having reason, on the whole aspect of the affair, to be apprehensive "lest her Majesty should grant the writs of error," they took a step that gave a touch of the ludicrous to their side of the contest,—they ordered the culprits "to be removed from Newgate and taken into the custody of the sergeant-at-arms."¹

The next step taken by the Commons was to smite the legal advisers who were aiding and abetting in the acts denounced as breach of privilege. A committee was appointed "to examine what persons have been concerned in soliciting, prosecuting, or pleading upon the writs of *habeas corpus* or writs of error, on the part of the persons committed" for breach of privilege. This brought into the contest "James Montague, Esquire; Nicholas Lechmere, Alexander Denton, and Francis Page, counsellors at law; William Lee and John Harris, attorneys at law." The sergeant-at-arms being required to account for this new group of culprits, "he gave the House an account accordingly; that he had found Mr Denton at his own chamber and had him in custody; but that

¹ Parl. Hist., vi. 385. A contemporary annalist scarcely extracts the transaction from the condition of the ludicrous by noting "which order was executed at midnight with such circumstances of severity and terror as have been seldom exercised towards the greatest offenders."—Annals of Queen Anne, p. 86. The annalist had, however, found this passage in "the humble representation and address of the Right Hon. the Lords spiritual and temporal in Parliament assembled, presented to her Majesty the 14th day of March 1704," being a complaint against the House of Commons.—See Parl. Hist., vi. 430.

he could not find the other persons." We are left to vague inferences as to their method of disappearance, in the terms of an order "by the Lords spiritual and temporal in Parliament assembled, that the said persons shall, and they have hereby, the protection and privilege of this House, in the advising, applying for, and prosecuting the said writs of error; and that all keepers of prisons and jailors, and all sergeants-at-arms and other persons whatsoever be—and they are hereby, for or in respect of any of the cases aforesaid—strictly prohibited from arresting, imprisoning, or otherwise detaining or molesting or charging the said persons, or any or either of them, as they and every of them will answer the contrary to this House." It did not point towards moderate and tolerant councils, that the high executive officer of the Commons was thus contemptuously noticed among "all sergeants-at-arms and other persons."¹

This is an occurrence of the 25th of February; and on the 6th of March the sergeant-at-arms appears to inform the House how "that a person had this morning brought him a writ of *habeas corpus* under the Great Seal, for Mr Montague—in his custody by order of this House—to be brought, as he was informed, before the Lord Keeper of the Great Seal of England; and he delivered the writ under the Seal in at the table."²

¹ Parl. Hist., vi. 386.

² This document in its barbarous Latin, contorted by official contractions, is in strange contrast with the expressive English of the debate and the parliamentary documents, reminding one of a rugged shapeless boulder on a glacier: "Anna Dei gratia Ang' Sco' Franc' et Hibern' Regina, Fidei Defensor, &c. Samuel Powel Ar' Servien ad arma attenden' Honorab' Dom' Commun' ejus Deputato et Deputatis salutem," &c.—Parl. Hist., vi. 389.

The instructions he received were—"That the sergeant-at-arms attending this House do make no return of, or yield any obedience to, the said writ of *habeas corpus*; and for such his refusal, that he have the protection of the House of Commons."¹

Before the dispute had reached this point, a message passed to the Commons that "the Lords desire a present conference with the House in the Painted Chamber about some ancient fundamental liberties of the kingdom." They desired it, they said, "in order to a good understanding between the two Houses, which they will always endeavour to preserve. When either House of Parliament have apprehended the proceedings of the other to be liable to exception, the ancient parliamentary method has been to ask a conference, it being ever supposed that when the matters are fairly laid open and debated, that which may have been amiss will be rectified, or else the House that made the objections will be satisfied that their complaint was well grounded."²

But these conciliatory suggestions announced, as fundamental principles and in a very distinct form, those judicial claims of the House of Lords which the Commons resisted. And no one prepared with a full knowledge of the antecedents of the conference could expect it to work out a good understanding. In fact each of the Houses had acquired, and was yet acquiring, certain powers whether they were to be called prerogative or privilege, held by each as peculiarly its own, and jealously to be protected from co-operation with or interference by the other. The appellate jurisdiction was the chief

¹ Parl. Hist., vi. 402.

² Ibid., 387.

characteristic claim of the Peerage—the exclusive right of voting supplies was the counter-claim of the Commons. The items of the conference are not articulately preserved, but they are sufficiently clear in revealing irreconcilable claims and enmities. The first taunt of the Commons is occasioned by the first of the Lords' resolutions: "That neither House of Parliament hath any power, by any vote or declaration, to create to themselves any new privilege that is not warranted by the known laws and customs of Parliament." The commentary is: "This would effectually put an end to that encroachment in judicature so lately assumed by your lordships and so often complained of by the Commons—we mean the hearing of appeals from courts of equity in your lordships' House. This would have hindered the bringing of original causes before your lordships; and your unwarrantable proceedings upon the petition of Thomas Lord Whar-ton," which the Commons characterised as a perversion of the power "heretofore exercised for the relief of the subject oppressed by the power of the great men of the realm" to a contrary purpose—the unjust aggrandisement of one of their own order.

And again, on the fifth resolution justifying the writs of error, among other bitter sayings are: "When it is considered how that usurpation in hearing of appeals from courts of equity, so easily traced though often denied and protested against, is still exercised, and almost every session of Parliament extended, it is not to be wondered that, after the success your lordships have had in those

great advances upon our constitution, you should now at once make an attempt upon the whole frame of it by drawing the choice of the Commons' representatives to your determination." And further, "The Commons cannot but see how your lordships are contriving by all methods to bring the determination of liberty and property into the bottomless and insatiable gulf of your lordships' judicature, which would swallow up both the prerogatives of the Crown and the rights and liberties of the people."¹

And it is observable that the wrath of the Commons is under good government; for instead of incoherence there is supreme distinctness of utterance linking cause with effect when they come to their angriest climax.

"The bringing writs of *habeas corpus* upon the commitments of the Commons, and a writ of error thereupon before the Lords, would bring all the privileges of the Commons to be determined by the judges and afterwards by the Lords upon such writs of error.

"Nay, such writs of error upon every *habeas corpus* would bring the liberty of every commoner in England to the arbitrary disposition of the House of Lords.

"And if a writ of error cannot be denied in any case [this was repeatedly urged by the Lords apologetically—the writ was not of *grace* but of *right*], and the Lords alone are to judge whether the case be proper for a writ of error, then all the queen's revenues, all her prerogatives, and all the lives and liberties of the people of England will be in the

¹ Parl. Hist., vi. 400.

hands of the Lords; for every felon, burglar, and traitor will be entitled to a writ of error before the Lords: and they will have even power over life and death.

"And by writs of error and appeals, as already exercised, they will have all our properties; by such newly invented actions they will have all our elections; and by such writs of *habeas corpus* and writs of error thereupon they will have all our privileges, liberties, and even lives at their determination: who determine by vote with their doors shut, and it is not certainly known who it is that hurts you. The novelty of those things, and the infinite consequences of them, is the greatest argument in law that they are not of right."¹

There seemed to be some inclination in the Lords attending the conference to be courteous and complimentary, but it had a tinge of patronising grace that was perhaps slightly offensive, and it had little effect in soothing the wrath of the Commons, though they were told "that the Lords look upon the Commons to be a great part of the constitution, which cannot be preserved but by doing right to both Houses.

"That the constitution is the wonder of the world and the glory of the nation; it is founded upon liberty and property; and the House of Commons hath been a great fence and bulwark of liberty."²

The Lords, though they suggested the conference, did not find that it served their purpose. Those who represented them appear to have been somewhat

¹ Parl. Hist., vi. 408.

² Ibid., 402.

haughty and reserved. They endeavoured to check the Commons on the question of the aggrandisement of the judicial powers of their House. On reporting back to their own House, the managers for the Commons conclude thus: "Your managers declared that they had more to offer, and were ready to proceed upon the subject-matter of the last conference in such manner as they thought their duty to the Commons of England required, if their lordships thought fit to hear them; whereupon the Lords did rise and break off the conference."¹

The Lords then took a course not to be easily accounted for. With bitter eloquence they registered the items of their quarrel in a "Representation and Address" to the queen, dated on the 14th of March. It appears that difficulties had arisen in the matter of the writs of error, for it was said that in two instances, though the usual steps had been taken, the writs had not passed. They conclude their address by expressing a hope "that no importunity of the House of Commons, nor any other consideration whatsoever, may prevail with your Majesty to suffer a stop to be put to the known course of justice, but that you will be pleased to give effectual orders for the immediate issuing of the writs of error."

Her Majesty made answer on the day of the reception of the address, and it was an answer so little to the purpose that it must have been suggested by a bold and subtle policy. It was in these few words: "My Lords, I should have granted the writs of error desired in this address. But finding an abso-

¹ Parl. Hist., vi. 420.

lute necessity of putting an immediate end to the session, I am sensible there could have been no further proceeding in that matter."¹

If we test the merits of the parties to this great contest by the historical development of the constitution in the judicial remedies for correcting imperfections in elections, the leaning of approval would be towards the policy of the Lords. To bring elections under impartial law, and reserve them from the power of the party prevalent in the House has been a long and difficult process; and some of us are old enough to remember when, on the calling of the names on an election committee, there were cheers from the party that by the accident of the ballot was strongly represented in it. But one's sympathy in the discussion is apt to lie with the Commons. The rapid growth of the judicial powers of the Lords justly alarmed them, and it perhaps required more than usual sagacity to divine that, instead of serving the capricious selfishness and tyranny of an irresponsible aristocracy, the judicial powers would all pass into the hands of learned and industrious lawyers—that the arrangement would be of eminent service by recruiting the aristocratic branch of the Legislature with the powerful fresh blood of families that have gradually risen from the humbler ranks of society by capacity, integrity, and industry.

Two morsels of history not connected with each other save by continuity in time have in this chapter here been treated apart, with a view of keeping them out of the current of more conspicuous events.

¹ Parl. Hist., vi. 435.

We have to enter on the hatreds and attachments that after many oscillations of hopes and anxieties culminated in the union of England and Scotland. While here one event follows another with a close sequence of cause and effect, another long historical drama, acted abroad, has to be brought before the reader in its successive steps of scarcely interrupted victory.

CHAPTER IV.

International Difficulties.

CAUSES OF DISSENSION BETWEEN ENGLAND AND SCOTLAND—SCOTLAND INCLUDED IN THE NAVIGATION ACT OF THE PROTECTORATE—EXCLUDED IN THAT OF THE RESTORATION—DEMANDS BY SCOTLAND FOR THE OPENING OF FREE TRADE WITH ENGLAND AND THE ENGLISH COLONIES REJECTED—THE PRIVILEGES ENJOYED BY IRELAND AS A DEPENDENCY—EFFECT OF THE REVOLUTION AND THE INTERCOURSE WITH THE DUTCH—SUPREMACY OF TRADE QUESTIONS—RIVALRY OF ENGLAND AND HOLLAND FOR SUPREMACY AT SEA—THE NAVIGATION ACT DESIGNED TO CRUSH THE RIVAL—INVENTION OF BANKING—ITS STIMULUS TO SPECULATIVE COMPANIES—SCOTLAND STARTS THE INDIAN AND AFRICAN COMPANY, OFTEN CALLED THE DARIEN COMPANY—WILLIAM PATERSON—THE COMPANY STARTED IN LONDON AND EDINBURGH—DRIVEN OUT OF LONDON—THE DARIEN COLONY—ITS CALAMITIES AND FAILURE—THE UNION COMMISSION OF 1702—CLAIM OF FREE TRADE REPEATED BY SCOTLAND—THE QUESTION DROPS—TURBULENT SCOTS PARLIAMENT OF 1703—QUARRELS—THE ACT OF SECURITY—THE LIMITATIONS—THE QUEEN ON THE AFFAIRS OF SCOTLAND.

SINCE the union of the crowns, an incorporating union of Scotland with England had become a traditional policy in both countries, and especially became ripened into form and substance by debates and resolutions of the Parliament of England. It was bequeathed to both countries by King William under

conditions conferring on the bequest a mournful solemnity. On the 23d February in the year 1702, in a message to the Commons, he announced himself as "fully satisfied that nothing can more contribute to the present and future security and happiness of England and Scotland than a firm and entire union between them." Further, that he "would esteem it a peculiar felicity if during his reign some happy expedient for making both kingdoms one might take place." The message incidentally noted that he was "hindered by an unhappy accident from coming in person to his Parliament, and so could only signify to the Commons by message what he desired to have spoken to both Houses from the throne."¹ The "unhappy accident" occurring two days earlier was in fact his death-blow.

Whatever forces were at work for or against the Union, in the government and constitution of the two kingdoms, and the tempers and national prejudices of the people, had become familiar to both in a century of discussion. But ere the question came to a final and practical issue, new forces, arising with the growth of each nation during that century, were destined for predominance in the struggle. Before the civil war there had been disputes and difficulties between Englishmen and Scotsmen on questions of trade, especially wherever the Scots endeavoured to deal with the English colonies. These affairs arose rather out of frailties and imperfections in the law than from exclusive privileges and absolute prohibitions. Such as they were, all these difficulties were swept away for a time by the Protectorate Govern-

¹ Parl. Hist., v. 1341.

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¹ Parl. Hist., v. 1341.

ment. The exercise of many old constitutional and feudal powers were, especially in Scotland, then thwarted by the controlling hand of a military despotism. But trade was absolutely freed, and in all matters of commerce, navigation, and colonial enterprise, England, Scotland, and Ireland became one community.

The Navigation Acts had an instructive influence on the creation of the political forces that, by setting the two nations in antagonism, led to the complete union. The first Navigation Act was passed by the Protectorate Government in 1651. It was a blow dealt against Holland, and whatever economic reaction it had on Britain it was successful in its ostensible object of stopping the career of the States towards the dominion of the seas. The Dutch, by the force of their realised capital, acting on their facilities for shipbuilding, were engrossing the carrying trade of the sea: wherever there were commodities ready for exportation, and a community ready to purchase them as imports, Dutch vessels were at hand for their conveyance; and it was vain for other communities to compete with them, for none could perform the service so effectively and cheaply. The policy of the Act was to exclude these carriers from the ports of England—unless the goods brought in cargo came from the place of their produce in Europe, they must be carried in English-built vessels, of which the commander with three-fourths of the crew were English subjects.

We may now believe that the natural enterprise of England would have raised it only the more rapidly to the commercial supremacy it was destined to attain

without this invidious exclusion. But what we have here to note is, that Scotland was not excluded by the Act of the Protectorate. There was a complete union of the British Islands under one Government, and whatever advantages Englishmen believed themselves to derive from the exclusion, Scotsmen were entitled to arrogate to themselves. It was among the Englishman's denunciations of the Protectorate Government that it admitted the impoverished and sordid Scots to a participation in the sources of England's wealth.

Interpreted by the commercial creed of the age, the Navigation Act was a brilliant achievement, and though the work of the usurper it was speedily re-enacted by the Restoration Government. In its restoration it was shaken free of the defect that gave a share in its beneficence to Scotland. England and Scotland again stood separate and apart, and in the protective code of England, Scotland was as thoroughly a foreign country as France or Russia. In a remonstrance on the part of Scotland in the beginning of the year 1668, a claim of participation was stated in a shape to bring out distinctly the character of the exclusion, by pleading that "the same freedom may be allowed to such ships and vessels as do truly and without fraud belong only to the people of Scotland—whereof the master and three-fourth parts are Scotsmen or other his Majesty's subjects, and freighted only by his Majesty's subjects—as are allowed to his Majesty's subjects of Ireland, dominion of Wales, and town of Berwick-upon-Tweed." And further, "that it be declared that his Majesty's subjects of Scotland are not meant to be debarred by the clause debarring aliens or persons not born within the alle-

giance of our Sovereign Lord the King from exercising the trade or occupation of merchants or factors."¹ But co-operation and harmonious action did not respond to the tone of the commercial policy of the age. Retaliation was the keynote that raised the energies of nations. A feeble effort to effect a union followed this remonstrance. The active spirits began to dream of exclusive schemes for Scotland in rivalry with England. The Dutch were an example to them. Exclusion from English trade seemed only to concentrate their powers in doing for themselves. Even while the Protectorate exclusion pressed upon them they were settling themselves at the Cape of Good Hope, the resting-place for all the European States ambitious of trade and dominion in the Indian seas; they were creeping with factories into Borneo and other islands of the Eastern Archipelago, and had audaciously planted themselves so far away in the New World as Guiana. Cut off from the English sympathy and communion, they prospered so as to rival if not to excel England as a trading and aggrandising community.

They might be excluded from the Thames, but if the English patrician desired to select the decorations of his dwelling from the splendours of the East and the West he must go to muddy Amsterdam for them. Even sullen Japan, shutting its door to the rest of the world, admitted the Dutch trader to its great mart of household finery. Scotland likewise excluded would do in like manner. Even so the restless needy man who sees his aggrandising neighbour heaping

¹ Bruce: Report on the events and circumstances which produced the Union, Appx. ccl.

riches upon riches by bold enterprises that never fail in his hands, will follow in the wake of his speculative enterprises and make himself rich. But he forgets two absolute conditions of success. The one is, that capital must have accumulated, and either in the hands of the rich possessor or some ancestor, it has come in drop by drop in sordid gains, until it has become strong enough to rule the market. The other condition is, the capacity to handle so powerful and subtle an engine as capital. The Dutchman had achieved this accomplishment by practice in all the markets of the world. The Scot has shown since then that it is latent in his nature, but as yet he had neither realised capital for himself nor exemplified such capacity for handling it as might induce others to intrust it to his management.

Thus it befell that while the prohibitions and penalties of the Navigation Act were levelled against the prosperous Dutch—the rivals of England in trade and navigation—they struck and wounded the poor Scots, who might have expected brotherly treatment. A statement early in the year 1668, made by commissioners from Scotland meeting commissioners from England, going back to the time when there was no protective and exclusive Navigation Act, and passing on through the Navigation Act of the Protectorate to the Navigation Act of the Restoration, states the conditions with great clearness: "Whereas his Majestie's subjects of Scotland have enjoyed a free trade here in England, and in all the dominions and plantations belonging to the kingdom of England, more than fifty and six years without any considerable obstruction all that time; yet since

the twenty-fifth day of March, in the twelfth year of his Majesty's reign, by some Acts of Parliament here in England, the king's subjects of Scotland are thereby debarred from the privileges granted to all his Majesty's other subjects, seeing by those Acts the privileges are granted to such ships or vessels as do truly and without fraud belong only to the people of England or Ireland, dominion of Wales, or town of Berwick-upon-Tweed; and all other ships or vessels—without any exception—with all their goods and merchandises, are declared to be forfeited.”¹

There was an element of practical irony in this result of the effective struggle of the Scots to hold their independence. Ireland, the dominion of Wales, the town of Berwick-on-Tweed, were dependencies of the English Crown, subject to the authority of English legislation and participators in the privileges secured to the trade of England. Scotland was an independent state, and had to look to its own Legislature for sound laws and the redress of grievances.² It was in vain to plead, as the Scots did, that they and the English were under the allegiance of the

¹ Bruce : Report on the Union, App. cxxlix.

² The demand by Scotland of the privileges conferred on Ireland, is met thus : “The answer is most clear and obvious—viz., that Ireland is not only under one king with us, as Scotland, but belongs to, and is, an appendix of the Crown of England ; and laws made in the Parliament of England do bind them ; and no law can be enacted by the Parliament of Ireland but what passeth the Privy Council of England ; and orders of the Council of England and the Great Seal of England do take place in Ireland ; yea, the Treasurer and other great officers of State in England, have jurisdiction and superintendency in Ireland : by all which it is absolutely in our power when we grant privileges to them, to compel and keep them up to the restrictions and limitations of them ; all which is quite otherwise in relation to Scotland.”—English Commissioners' Concessions, &c, 16th March 1678 : Bruce, cclxxiv.

same sovereign. In anything that touched their independence or nationality, the Scots would never admit that their sovereign could, because he was King of England, do what he could not have done had he been king only of Scotland. But they had better reasons to state for being included in the English privileges. A partnership in trade between England and Scotland would increase the wealth of both, and would strengthen the Crown by enlarging the customs duties ; while the increase of shipping and seamen that would come of the united effort of the two nations, would increase the strength and security of the British empire. Of course, in the suggestions from Scotland there was no hint that the restrictions might well be relaxed—it was only just that Scotland should participate in the blessings they imparted. They desired that the privileges of the English colonial trade might be extended “to such ships and vessels as do truly and without fraud belong only to the people of Scotland, whereof the master and three-fourth parts are Scotsmen or other his Majesty's subjects, and freighted only by his Majesty's subjects ;” and that vessels so navigated and freighted “may be declared to have liberty to bring into England the goods and commodities that are of foreign growth, production, or manufacture, under the same restrictions and limitations as are expressed for the ships of England.”¹

The discussion of the Scots claims of 1669 brought the whole question so far to a practical shape that commissioners were appointed on both sides to treat of a union. But the period of discord and gloom

¹ Bruce, ccli.

that settled for twenty years on the two kingdoms, and especially on Scotland, seems to have deadened the cheerful aspirations that seek their issue in trade and co-operative enterprises. The legislation of the period is exceptionally barren, even in the paternal legislation that professes to protect good and wholesome commerce, and to denounce all those efforts at selfish aggrandisement which are supposed to spread the seeds of commercial disease through the community at large.

The Revolution, with the influence social rather than political of the Dutch king and his followers, created a new spirit. The banker appeared beside the dealer. All kinds of coins, some of value difficult of adjustment, others debased or clipped, would double or triple the perplexities of the trader. Bills of exchange had been invented, but they depended not so much on their prompt conversion into bullion, as on the multitude of indorsers, all liable to the relief of the holder. Real property, such as land and houses, might be pledged for the paper money, and this might make it ultimately secure, but would not give it the flexibility of ready money. But Holland had solved the great problem, and the wondrous Bank of Amsterdam appeared to create out of nothing but the wisdom and cleverness of its creators a sufficiency of ready cash for all the wants of an affluent community.¹

¹ The adepts who organised the Scots system of banking, carefully studied the mechanism of the Bank of Amsterdam. It is fortunate that a century ago, while it was still exceptionally effective as a national bank, and the Scots bankers were endeavouring to follow its instructive precedents, Adam Smith should have written an exposition of its peculiarities and merits. — See *Wealth of Nations*, book iv. chap. iii.

From the Revolution to the accession of Queen Anne, England was kept in restless agitation by speculative projects. Among these were the Bank of England, the Million Bank, two Land Banks, plantation projects in the colonies and great public companies for pearl-fishing, the Greenland and Newfoundland fisheries, and many others. There were great organisations on the joint-stock system for supplying clothing, and the other common necessities and amenities of life—as the Lustring Company, the various companies for linen and woollen manufactures, glass-blowing companies, and japanning companies. Many of these were ephemeral, but a few left their mark on history, as the two East India Companies, the old and the new, and the two African Companies. Lastly, the speculating spirit of the age gave existence to a new institution, which has had a vigorous life—the Stock Exchange of London.

It was natural that Scotland should be touched by the influences so forcibly prevalent in England, and perhaps equally natural that in the crowd of projects, an Act passed by the Scots Estates on the 25th of June 1695, called an “Act for a Company trading to Africa and the Indies,” should be allowed to pass without much examination or criticism from those not immediately interested in the project. The legislation of the Scots Estates was ever more impulsive than that of the Parliament of England. The complete division into two Houses, and the many checks interrupting hasty or inconsiderate action, which had grown through the long struggle between prerogative and privilege in England, were scarcely known in Scotland; and they were hardly missed, for it so hap-

pened that the Estates and the Crown generally acted with so much harmony, as to leave it an open question whether the Crown could reject a bill passed by the Estates. There was at the same time a local cause deterring those not in the secret of the ultimate projects of the promoters of the measure from criticising its nature, since the Estates were at the time all on fire about "The Report of the Commission for inquiring into the Slaughter of the Glencoe men."

Yet the Act that passed thus quietly carried the union of the kingdoms and went far in the securing of the Hanover succession. It cannot be said that there never would have been a union of England and Scotland but for this Act; but had there been a union otherwise stimulated, it must have had a different history from that now to be told. And, indeed, when the terms of the statute are interpreted by events following on it, its importance and significance become powerfully visible, since it created in the new company powers of declaring peace and war, upholding navies and armies, founding colonies, and contracting alliances.

The first step was to raise the necessary stock. And here it was discovered that there was a fatal weakness in the laws for keeping all the commerce of England to her own people, and especially excluding the participation of the Scots. Englishmen could hold stock in a Scots company, and however patriotism could collectively exclude Scots participation in English profits, it was insufficient to restrain Englishmen separately from investing in a Scots adventure promising to pay.

William Paterson, the soul and inspiration of the

scheme, was a London merchant deep in all the mysteries of the stock market. He recommended that the affair should receive its first impulse in that ardent atmosphere, instead of being first exposed to a lingering appreciation by the Scots, scant of cash, and unaccustomed to the bold adventures of England. He remarked that "when the Parliament gives a long day for money, that fund has hardly any success. The Bank of England had but six weeks' time from the opening of the books and that was finished in nine days. And in all subscriptions here it is always limited to a short day; for if a thing go not on with the first heat, the raising of a fund seldom or never succeeds, the multitude being commonly led more by example than reason."

Under the auspices of ten English directors, the books were opened in London. The opening was in every way skilful both as to the seductive prospect and the limited opportunity for participation, and there was a rush for shares. Then the two demons of the market—the lust of gain and the dread of ruin—were raised and set to work. A later generation beheld wilder orgies in the South Sea and Mississippi schemes, but on this occasion even so barren a stage as poor Scotland afforded an exciting rehearsal of such scenes.

The capitalists of the English companies whose privileges were to be touched, arose in fury, and were successful in arousing sympathetic wrath in both Houses of Parliament. That solemn conclave, only exorcised into existence by conditions critical and weighty—a conference between the Lords and Commons, was dedicated to the emergency. And when

the causes of wrath were set forth in detail, nothing could be more just and logical than their tenor. All the English companies possessed exclusive privileges, protected to them by stern and cruel laws; and here started up a band of free-traders—of licensed smugglers—who were to outrage them all. Through the privileges granted to the Scots company, “a great part of the stock and shipping of this nation will be carried thither, and by this means Scotland be made a free port for all Indian commodities, and consequently those several places in Europe which were supplied from England, will be furnished from thence much cheaper;” “and when once that nation shall have settled themselves in plantations in America, our commerce in tobacco, sugar, cotton, wool, skins, masts, &c., will be utterly lost, because the privileges of that nation, granted to them by this Act, are such that that kingdom must be the magazine for all those commodities, and the English plantations and the traffic there lost to us.”¹

Then came a demand for the impeachment of some of the statesmen who had counselled the Crown to the perpetration of this outrage, but all who could be charged with the guilty act were secure in Scotland, where nothing but a powerful invading force could touch them. In a short time the fury of the English capitalists burnt itself out. Those who had subscribed for stock took fright and courted obscurity. When the first instalment fell due none came forward to meet it and the shares were consequently forfeited. Thus the English privileged companies were not to

¹ Lords' Journals, 13th December 1695.

be invaded and ruined by rival capitalists at their own door.

The Scots were not in a humour to feel thwarted or disappointed by this result of their attempt on English capital. It is possible even to extract from their demeanour symptoms of exultation in the prospect of keeping the newly found treasure exclusively to themselves. But then arose the serious question—Could the nation produce the capital necessary for the mighty undertaking? Some efforts were made to get aid from abroad, but the national enthusiasm daily grew and strengthened, and it became clear that whatever funds existed would be available in the cause. It was a national cause, aided by an approving self-interest that had no doubt of the absolute certainty of the coming reward. The capital, as originally projected, was to be six hundred thousand pounds sterling, to be equally divided between the two kingdoms. Now that England had dropped off, the Scots bravely added a hundred thousand to their original allotment. That this slightly overdrew the pecuniary capacity of the country is shown by a small item only revealed to those who have examined the company's books. The last two thousand pounds subscribed to complete the round sum are fictitious. They were subscribed by a citizen of Edinburgh on a guarantee from the company at large.

And now came the dangerous delusion that a community are enriched because they are rapidly spending. Everything had a tone of prosperity. The country was, in gamblers' phrase, “flush of

money," but nothing could less resemble the squandering of the gambler than the purpose to which it was applied. All the productive resources of the country were stimulated. Coal-mines, salt-mines, metallic ores, were worked up into saleable commodities. All kinds of linen, woollen, and leather goods were rapidly manufactured. The herring, cod, whale, and salmon fisheries expanded with the rising market. The building trade was even touched in the general stimulus, for the company began to build between Edinburgh and the Meadows stately chambers, bidding fair to become a national palace in the French style. Most significant, perhaps, of all this productiveness, was the creation of a fleet of vessels, equipped not only for the exportation of merchandise and emigrants, but for battle.

The first colony—the colonisation schemes were indefinite—was to rise in a spot selected by Paterson, who had made close acquaintance with it, and pronounced it to be the best adapted spot in all the world for giving effect to the ruling spirit of the new enterprise. That spirit was free trade. All the world was to be invited to buy and sell in the new territory of the Scots; and to suit the traders of all the world it was to be on the Isthmus of Panama—the neck of rocky land, looking so narrow on a terrestrial globe, that by uniting the great northern and the great southern territories of America, just suffices to make the whole one continent. The spot selected, chiefly with an eye to its capacity of being well fortified, is too well known in the annals of national misfortune by the name of Darien.

Here then was established a real Scots colony, but

to what end? By taking up its position where it did, it seemed to proclaim to the world at large,—Ye that want to buy the produce of European industry, come to us—we have abundance of commodities, useful and ornamental; ye that want to sell the produce of your own distant lands, come to us—we have capital, and are prepared to buy.

But no one came for either purpose. Then it was found that the hardy Scotsman's constitution was not suited to endure a tropical climate, stimulating poisonous swamps, and dripping forests; and for months the chief labour of the colonists was in burying their dead. In Scotland the harvest next after their departure was deficient. They seemed to have taken the heart and energy of the country with them, and those remaining at home longed to join their brethren in the happy regions of prosperity; so that, ere anything was heard of the fate of the first colony, a second and a third had been sent out to increase its wants instead of supplying them.

Then they soon found themselves in the midst of enemies. In Spain there was a sick man, sick even unto death; and when the hour of death came, it was as absolute as political cause and effect could be, that instantly all Europe would be at war for the disposal of his heritage. Was this a time for planting British subjects in the middle of the possessions of the Spaniards in their boasted Indies? for though the colonists selected uninhabited ground, Darien was in the midst of Spanish communities, and the colonists had to fight for possession. Nor did they in their contests receive the courtesy due to national enemies. The career of the new-comers was identical with that of the several

groups of filibusters and pirates who infested the Spanish main, and built fortified harbours for the storage and defence of their plunder. There was no official diplomatic staff to contradict this conclusion. The ambassadors of King William to foreign courts and the governors of the colonies were all Englishmen, with instincts and interests inimical to the new colony. Of old, when the ancient league was in full vigour, France stood by the Scots in difficulties with the other Continental towns; but now all that France could do for Scotland was to give hospitable refuge to the king she had discarded. Scotsmen had recently been conspicuous and powerful on the European continent. It might be remembered how the Scotsman Lockhart, whose wife was the niece of the mighty Cromwell, was ambassador for the Protectorate, and took Dunkirk out of the hands both of France and Spain. Mackay's Scots Brigade lay conspicuous among the slain on the bloody field of Steinkirk, where they were under the command of King William. But who would answer for these Scots of Darien, who conducted themselves after the fashion of the other pirates and buccaneers on the Spanish main? Nay, if the Spaniards obtained minute information concerning the strangers, it would lead to the knowledge that they were disobedient servants who had offended their sovereign, so far that he placed it on the record of Parliament that, in permitting this expedition, he had been ill-served in the Scots part of his dominions.

Starvation, disease, and vice were rapidly wasting the colony, the account of their career that reached their kinsfolk at home becoming sadder and sadder.

Yet before the exhausted remnant surrendered themselves to a powerful fleet, there was one gleam of brightness to penetrate the gloom that hung over Scotland. A Spanish army was approaching to crush Darien, when a small body of the colonists crossed the isthmus, attacked it with fury, and scattered it in wild rout. A medal was struck, representing Campbell of Finab, the glorious leader of the Scots, galloping on his war-steed across the battle-field; and the victory of Zubaccanti was solemnised by a riotous illumination in Edinburgh.

There was no redress for the inhospitality of the English representatives abroad to the suffering Scots adventurers, and the alternative was becoming daily more distinct, that the two nations were drifting into war, unless an incorporating union should save them. King William saw in this the only hope and remedy, and he influenced the House of Lords to take the first step in the direction of union. They passed a bill appointing commissioners for negotiation, and sent it to the Commons with a recommendation to their consideration as "a bill of great consequence." Any such effort by the one House to stimulate the other was, it seems, contrary to the etiquette between the Houses; and the Commons, taking huff, threw out the bill on the second reading. This might bring war with Scotland, but what was that to the humiliation of listening to a suggestion from the Lords? The king again raised the question; and thus we have come round to the period of our story where it appeared desirable to take this brief retrospect to assist in rendering the remainder intelligible.

On the 25th of August 1702, a commission was issued under Queen Anne's sign-manual, appointing, on the part of England, commissioners to treat on the terms of a union, with commissioners to be appointed for Scotland. When the work was begun, the demand of Scotland to be released from the restraints of the navigation laws and establish freedom of trade between the two kingdoms opened at once the great critical question where the whole issue lay. On the part of England it was early taken up as a plea conclusive on this claim, that participation in English trade was not so much a question of national polity as of personal vested interests and properties, which it would be confiscation to diminish. In the discussions of 1667 it was laid down, "That his Majesty's plantations in the East Indies, and several in the West Indies, belong to particular corporations of Englishmen; that the rest in America were purchased and settled by the blood and estates of Englishmen—and there is no reason Scotland should reap the benefit thereof."¹

On the 3d of December the Scots briefly put their claim for "such an union as entitles the subjects of both kingdoms to a mutual communication of trade privileges and advantages." On the part of the English commissioners this was accepted with a significant reservation, "though they allow the communication of trade and other privileges to be the necessary result of a complete union, yet in the method of proceeding they must first settle with your lordships the terms and conditions of this communication of trade and other privileges."²

¹ Bruce, ccclxxxv.² Ibid., ccclxviii.

After some hesitating discussion the Scots put their claims in a shape not admitting doubt:—

1. "That there be a free trade between the two kingdoms, without any imposition or distinction.

2. "That both kingdoms be under the same regulations, and liable to equal impositions for exportation and importation, and that a book of rates be adjusted for both.

3. "That the subjects of both kingdoms, and their seamen and shipping, have equal freedom of trade and commerce to and from the plantations, and be under the same regulation.

4. "That the Acts of Navigation, and all other Acts in either kingdom, in so far as contrary to or inconsistent with any of the above-mentioned proposals, be rescinded."¹

This was uttered on the 9th of December, and on the 16th the English commissioners met it with a specification of reservations and restrictions: "As to the first article, their lordships are of opinion that there be a free trade between the two kingdoms for the native commodities of the growth, product, and manufactures of the respective countries, with an exception to wool, sheep, and sheep-fells, and without any distinction or imposition other than equal duties upon the home consumption." This implied an exclusion on importation of foreign merchandise into England in Scots vessels, restricted the importation of Scots produce to the market for home consumption, and made important exceptions to the articles of home produce that might be imported.²

Here were clear demands, and refusal as clear.

¹ Bruce, ccclxx.² Ibid., clxxi.

The question of the colonial trade was reserved in terms showing how tenaciously England might be expected to hold her advantages there: "As to the third article, their lordships say that the plantations are the property of Englishmen, and that this trade is of so great a consequence, and so beneficial, as not to be communicated as is proposed, till all other particulars which shall be thought necessary to this union be adjusted." And then, as if to render the impracticability of Scotsmen enjoying this trade, they are told that, with the exception of "salt fish" and some other commodities, "as the case now stands by law, no European goods can be carried to the English plantations but what have been first landed in England;" "nor can the product of the plantations be carried to other parts of Europe till it has been first landed in England."¹

At this point a sudden change appears to come over the spirit of the negotiations. Three days later—on the 19th of December—it is minuted that "The commissioners on both sides had a full conference upon the subject of the communication of trade in the foresaid proposals and answers, which was very amicable; and their lordships for England agreed to all the proposals made by their lordships for Scotland."²

The results of this harmonious action stand embodied in articles adopted at a joint meeting on the 2d of January:—

"That there be a free trade between all the subjects of the Island of Great Britain, without any distinction, in the same manner as is now practised

¹ Bruce, cclxxiii.

² Defoe's Hist. of the Union, App. 740.

from one part of England to another; and that the masters, mariners, and goods be under the same securities and penalties in the coasting trade.

"That both kingdoms be under the same regulations and prohibitions, and liable to equal impositions for exportation and importation; and that a book of rates be adjusted for both.

"That the subjects of both kingdoms, and their seamen and shipping, have equal freedom of trade and commerce to and from the plantations, under such and the same regulations and restrictions as are and will be necessary for preserving the said trade to Great Britain."¹

At a point where the negotiations appeared to be closing round so fortunate a conclusion, we have a glimpse into the inner thoughts of Secretary Tarbat, about the most active and able of the Scots statesmen of the day. He had been known as Sir George Mackenzie of Tarbat, and afterwards became known as Earl of Cromarty. As a man of letters he had written some godly books, and some others far removed from this qualification. He had a considerable share in that unscrupulous waywardness that came to its climax in the assembly of the west called "the Drunken Parliament." He was concerned in the "billeting" affair—an attempt to ostracise certain public men as doomed to perpetual incapacity for office. In applying for a general "remission," or prospective pardon for any sins that might be charged and proved against him, he uttered himself in words that might be a broad audacious jest, but might also be the impulse of a secret consciousness

¹ Bruce, cclxxv.

of extreme danger: "I wish to have a very general remission sent me; because I see faults fished for in others upon as great grounds. If it comes, let it contain treason, perduellion, and a general of all crimes; though on all that is sacred I know not myself guilty, nor do I hear anything on this side Irish witnesses or evidence." Having passed through the sedate reign of King William, and reached the mature age of seventy-two, he might now be likened to the respectable observer of domestic responsibilities looking back to the sowing of his wild oats. So, in the trying oscillations of the Union contest, he steered his way with a firm hand. The letter now cited is addressed to Nottingham, and is dated on the 21st of December 1702:—

"I am so much in love with the Union that if thereby I be pushed to press upon your time, I will hope for your pardon on account of the cause for which I am concerned. My lord, this treaty must either produce a very happy or a very unhappy conclusion; and I must be afraid of the latter if an impossibility be proposed as a condition. This night at our meeting, wherein all did agree as to the terms of what concerned the burdens to be imposed on goods exported to foreign places, or imported from thence, and in what can concern the transport of merchandise from one part to another of Britain; yet the very different articles, viz., of the taxes to be imposed upon consumpt at home, doth rise like a little cloud, which threatens a storm. I presume Scotland will go to the utmost reach of possibility for what may render Britain secure and happy; but when

'impossibility' gives a stop on that side, the safety must be from the prudence of England."¹

In the resolutions now reached, the chief desire of Scotland seemed to be achieved at last. There must be a secret history of this revulsion, for it stands forth like the proverbial inconsistencies in human action that precede insanity or sudden death. This resolution extinguished the treaty and the treaters. It was not a violent death. Its shape was, that the English commissioners dropped away from the meetings for bringing the affair to a conclusion; and though there was a professed attempt to remedy this desertion, nothing came of the attempt.²

Some conferences were held, where the burdens of English debt and the coexistence of the English and the Scots India Companies were discussed as secondary to the great question of freedom of trade, no longer an open question. On the 3d of February, by a queen's letter, the meetings of both commissions were adjourned to the 4th of October.³ On the 3d of September, the Scots Estates resolved, on a review of the progress of the treaty, "That the commission of Parliament granted for the said treaty is terminate and extinct, and that there shall be no

¹ Mus. Brit. Addl. MSS., 29588, f. 379.

² "*Die veneris*, 22d January 1702-3.—There not being a quorum of the English, and the Scots being met in their own chamber in the Cockpit, the Marquis of Normanby and Earls of Pembroke and Nottingham came unto them from such of the English commissioners as were met in the council-chamber, to signify that they were so much ashamed of the frequent disappointments they had given them, that for preventing the like for the future, they had resolved amongst themselves to apply to her Majesty for a new commission under the Broad Seal, in which seven might be named a quorum."—Defoe, App. 744.

³ Defoe, App. 750.

new commission for treating of an union betwixt the kingdoms of Scotland and England without consent of Parliament."¹

So it appeared that Scotland's participation in the trading privileges of England was a proposal so preposterous that it sank under the weight of its own absurdity. Yet England, though rapidly becoming the greatest, was perhaps the least illiberal of the trading communities of the day. Monopoly and retaliation were the only trading doctrines and practices throughout Europe. Like many other evil qualities, they culminated among the Spaniards, who, as they believed themselves to have been, by the bounty of Providence, invested with the bulk of the sources of all wealth, held that they were all the more beholden by cruel laws and sanguinary deeds to keep it for themselves. It was considered as among the

¹ Scots Acts, xi. 101. The following announcement to Secretary Sir Charles Hedges, in the "Additional MSS." in the British Museum, may be counted as the last vestige of the negotiations under the commission of 1702:—

"WHITEHALL, Sept. 30, 1703.

"SIR,—The Lords of the Committee having mett this morning, took notice that on Monday next, the 4th of October, is the day to which the commission for the union of the two kingdoms is adjourned: and though their lordships, upon consideration of what *they heare* is past in Scotland, think it not necessary that the English commissioners should meet on that day, in regard there are no commissioners from Scotland in town to meet with them; that the English commissioners have no power to act separately; and that the commission will on that day fall of course, *which their lordships do not think will be of any inconvenience*,—yet their lordships thought it their duty to submit the matter to her Majesty, what she will please to have done; and their lordships desire you will receive her Majesty's pleasure herein, and let them know it.

"Having read this to my lords, their lordships commanded me to send it away to you, by a messenger, in regard the time for this meeting, or not, is so near at hand.—I am, with all respect, Sir, your most obedient humble servant,

RT. WARRE."

dangers of the Darien settlers that the Spanish, if strong enough to be victorious over them, would slay them all. Such was their practice towards the rash adventurers who pried into the secret sources of their commerce, and it was the climax of intrusion to be found prowling nigh their gold-fields. When vessels and their crews disappeared in the Spanish main, their fate was thus accounted for. And yet it was noticed at the time, that when the last remnants of the ruined colonists were seeking food and rest, they were more hospitably received by the Spaniards than by their own fellow-islanders. When we reach the cause of this phenomenon, we may also find why the modern mechanic on pay-day contributes one shilling of his wages to a refuge for widows and orphans, and another to a fund for maiming, or, if need be, slaying, the fellow-workman who, to preserve his wife and children from starvation, has consented to work at the market value of his labour.¹

¹ To steady men who went with the current opinions of the day, sentiments like the following must have sounded as malignantly as the anarchical announcements of the French revolutionists in the ears of the loyal old country gentlemen of England. In the first place, the newly discovered paradise of trade in Darien is announced:—

"The time and expense of navigation to China, Japan, the Spice Islands, and the far greatest part of the East Indies, will be lessened more than half, and the consumption of European commodities and manufactures will soon be more than doubled. Trade will increase trade, and money will beget money, and the trading world shall need no more to want work for their hands, but will rather want hands for their work. Thus the door of the seas, and key of the universe, with anything of a reasonable management, will of course enable its proprietors to give laws to both oceans, and to become arbitrators of the commercial world, without being liable to the fatigues, expenses, and dangers, in contracting the guilt and blood of Alexander and Cæsar."

And who are the chosen people that, to the exclusion of the rest of mankind, are to enjoy the paradise?

"You may easily perceive that the nature of these discoveries are

The session of the Scots Estates in the summer of 1703 was stormy. It was tossed by denunciations against England, it was restless with anxieties on the danger of putting all to the issues of war with so great a power, and the whole was tainted by suspicions that the Ministers of the Crown for Scotland were truckling to the great enemy. Some of the explosive materials brought together, indeed, burst forth before the battle had begun or the forces had been paraded against each other. When the preliminary questions about doubtful elections and other matters vital to the constitution of a formal Parliament had been decided, the record tells us how the fiery Belhaven and Sir Alexander Ogilvie of Banff had indulged in an outbreak so violent that they found it prudent to throw themselves on the mercy of the House, and in harmonious humility admit "unbecoming expressions and other undutiful behaviour; for which they are most heartily sorry and grieved. Therefore they did in all humility acknowledge their faults, and did crave pardon of her Majesty's Commissioner and the Estates of Parliament for the offence committed by them, and did entreat that their most humble submission might be received, and

such as not to be engrossed by any one nation or people to the exclusion of others; nor can it be thus attempted without evident hazard and ruin, as we see in the case of Spain and Portugal, who by their prohibiting any other people to trade, or so much as to go to dwell in the Indies, have not only lost that trade they were not able to maintain, but have depopulated and ruined their countries therewith; so that the Indies have rather conquered Spain and Portugal than they have conquered the Indies."—Report by William Paterson, addressed "To the Right Honourable the Court of Directors of the Indian and African Company of Scotland."—*Memoirs of Great Britain and Ireland*, by Sir John Dalrymple, ii. 113.

they restored to their respective places in Parliament." With certain verbose formalities, indicative of hesitation, the Estates resolved to "pardon and forgive the culprits, and restore them to their respective places in Parliament."¹

From an account by one who, being present, thought the outbreak of sufficient importance to be told to the English Cabinet, it would appear that the two were rushing from the House to find a more suitable spot for the practical conclusion of their quarrel, when, being interrupted by a closed door, and coming together on the parliamentary side of the impediment, they fell to kicking each other there.

"Immediately after the election was determined, Belhaven and Sir Alexander Ogilvie went out together with design to have fought. But after they had passed the place where we sit, and had come the length of the door, and the same not being so readily opened to them, they did again fall in passion, and Belhaven struck Sir Alexander Ogilvie with his foot, and Sir Alexander struck him again in his own defence. This occasioned a great deal of noise; and many of the members, particularly the Duke of Hamilton, thought Belhaven had been insulted, and so did express himself very passionately, as did several others; but none of us who were in our seats could see what happened.

"After this I went home, and did expect to see no person, it being so late. But his Grace my Lord Duke of Hamilton and his two brothers came to my house, and proposed that, seeing this scuffle had happened betwixt my Lord Belhaven, who is a

¹ Act. Parl. Scot., ix. 65.

Hamilton, and Sir Alexander Ogilvie, who is of my name, and my relation—that therefore we might interpose betwixt them and settle any difference they had.”¹

The intervention was immediately successful, so far as the two perpetrators of the scuffle were concerned. But there seemed to arise a competition among others of a more pretentious character. First, “The Earl of Errol, as Lord High Constable, pretends to have the jurisdiction of all riots committed during the sitting of the Parliament, as well within as without the Parliament House—so notwithstanding of the reconciliation, he put sentries upon them.” Then the Crown was insulted in the person of the Lord High Commissioner, and there was a threat of trial for high treason. This aroused the Estates to claim the privilege of suffering or repelling the insult, and they determined, by “a great plurality,” “that no member could be accused of what was said or done within the House but by order and appointment of Parliament.” High treason or not, the affair gravitated into an admission that Parliament was the party injured or insulted, and submission and assurances of penitence were accepted by Parliament. So the culprits appeared at the bar, when the judgment, as here cited from the record, was pronounced. It was reported in the following words by Chancellor Seafield to Godolphin: “His Grace and the Estates were highly displeased because of the misdemeanour they had committed, and that in law they might have been punished; but upon hearing of their petition, in which they do humbly crave his Grace and the

¹ Mus. Brit. Addl. MSS., 2055, f. 364-368.

Estates’ pardon, they were now brought to the bar that they might again have the opportunity of making their acknowledgments; and accordingly they both did so in the humblest manner.”¹

The queen’s message at the opening of the session had called attention to the necessity of a parliamentary settlement of the Crown; and the hint was taken, though in a sense significantly opposite to the meaning of the invitation. The first actual storm came when the Lord Marchmont, having secured attention by announcing that he had in his hand an overture or bill for the settlement of the succession, came, in the course of his reading, to the words “Princess Sophia.” The fury of the meeting seemed to be too intense to let the members understand the sense in which the name was used—the very use of that name in a meeting of the Scots Estates was an indecorum and an insult. We have seen by what process of analysis the English Parliament reached that name; and had the Scots followed the same process—the exhaustion of the descendants of King James until a Protestant line was reached—it must have been with the same result. But the result of such a logical process had been reached, and had been employed so insultingly against Scotland that, since logical exhaustion had been set as an example, Scotland was prepared to reach a conclusion of her own more briefly and absolutely; and this was done by excluding from the succession to the crown of Scotland the person who should succeed to the crown of England. To this end was passed the “Act for the Security of the Kingdom,” containing a provision that on the

¹ Seafield to Godolphin, Mus. Brit. Addl. MSS., 28055, f. 364.

death of the queen the Estates should meet to appoint a successor to the crown—a Protestant—from among the descendants of the old line of Scottish sovereigns, with a special provision that the person chosen to succeed to the crown of England should be excluded from the selection, unless “there be such conditions of government settled and enacted as may secure the honour and sovereignty of this crown and kingdom,—the freedom, frequency, and power of Parliaments—the religion, freedom, and trade of the nation,—from English or any foreign influence.”

The Commissioner frankly informed the angry House that he would not give the royal assent to this Act by the touch of the sceptre. Then was debated the question whether that touch was necessary to making an Act of the Estates the law of the land—whether it was more than a courteous acknowledgment of approval and acceptance of a law duly adopted by the Estates. Further perilous matter was struck out in that hot debate, and an opportunity was given to Fletcher of Saltoun to ventilate—to use an expressive neology—his republican proclivities, and embody them in a statute of “limitations.” The object of these was to secure the country against regal power being exercised within it by any one who should become, at any time after the departure of Queen Anne, sovereign of England. To this end the assent of an elected president of the Parliament was to supersede the touch of the sceptre, and the patronage of office and the command of the army were to be vested in the Estates.¹ When the Commissioner

¹ We find a collector of intelligence on the Continent, named Cockburn, who appears to have been in the service of Nottingham,

tried to soothe the irritation by persuasions and assurances of healing measures, he was asked if he had secured the approval of my Lord Treasurer of England to what he promised. This touched a point to make Felix tremble, as the letters cited in these pages will amply show. Had certain dingy scraps of paper now sleeping on the shelves of the Manuscript Department of the British Museum been intercepted on their way southward, the quarrel might have drifted to formidable if not tragic results.¹

writing to him on the 3d of October thus: “The proceedings of the Scots Parliament are largely set forth in our Dutch courants, and the overtures of Mr Fletcher of Saltoun are written at length. These things are matter of admiration to some, and of laughter to others. If your lordship knew the man—I mean Mr Fletcher—you would not be surprised at his extravagances; he is enheaded, as the French phrase is, with the notions of a republic, and has an inveterate pique at all sovereignty.”—MS. Mus. Brit., 89, f. 79.

See ‘Lettres historiques contenant ce qui se passe de plus important en Europe’ (attributed to Jean Dumont)—vol. xxiv.—‘à la Haye, chez Adrian Moetjens:’ 1703. This contemporary history, the precedent of the annual registers and other periodical chronicles of later times, gives ample testimony to the interest created abroad by the Scots Parliament of 1703. To France it seemed to open the question of separation from the interests of England, and a possible restoration of the “Ancient League” between France and Scotland. Some one had supplied a full and tolerably accurate account of this stormy session for the *Lettres*, as—“Le Parlement d’Ecosse est toujours fort occupé. On y a lu plusieurs differents Projets d’Actes pour regler la succession à la Couronne.” “Ce qui en a retardé jusqu’ici la conclusion c’est que l’on a présenté de jour en jour des articles pour y être inserés, et que cela demande une longue discussion. Le Lord Salton en presenta douze le 18 Juin, tous concernant la limitation du successeur qui devra être choisi après la mort de sa Majesté.”—Pp. 202, 203. The “Lettres” were rendered by translations in London, and thus the English people received the news of their neighbours in Scotland.

¹ The following morsels, addressed by the Earl of Leven, are suggestive when interpreted with the letters cited in the text:—

“I was obliged to make use of a borrowed hand the last two letters I sent to you, because I understood that some were very busy upon the inquiry if I kept correspondence with any in England, and would have been glad to have got a letter under my hand to any English minister;

The passages following, from letters by Atholl, Lord Privy Seal, to Godolphin, if they had not interest in themselves, would have it as testimony to the clandestine communications between the queen's ministers in Scotland and the English Cabinet.

"HOLYROOD HOUSE, *July 10, 1703.*

"We have all concurred—I mean the queen's servants—to keep the limitations out of the Act of Security, which we have done with a great deal of difficulty, and in which I am sure I have done all I could, both by myself and friends that are of the cavalier party, without whose assistance they had certainly been voted before this time, particularly the Act lodging the power of declaring peace or war in the Parliament after her Majesty's decease without heirs. As this appears the most necessary, so it is the first is pressed; but none can answer but others may be insisted on."¹

On the 1st of September (1703), Atholl writes to Godolphin, desiring to be informed of the fate of the Act of Security—is the queen to give it the royal assent, or is she not?

"You may imagine, since there was so much zeal

but now that the Parliament is at an end, that danger is over."—Mus. Brit. Addl. MSS., 28055, f. 56. Some things, indeed, were not to be trusted to paper, and must await the opportunity of a private interview.

"I did wish rather than beg to have seen your lordship ere now. I had reasons for it not so fit for paper. But for the little assistance I have given and must give to what I think is intended—or should be intended—here, I shall regret my stay the less. However, I am presumptuous enough to assert that my designs were and are unaltered and unalterable in endeavouring to serve the queen, the monarchy, and Britain faithfully—and with all the endeavours possible for an old man and an old loyalist."—*Ibid.*, f. 2.

¹ Mus. Brit. Addl. MSS., 28055, f. 40.

and heat in the Parliament to get this Act, it will be a very great disappointment if it should not be passed. It may make the Ministry here have no interest either to carry the supply in this Parliament or in any other. But, on the other hand, if the queen does consent to it, this session I doubt not will conclude immediately by giving supplies for the army. But without the Act be passed, or assurances that it will, we find that they will not enter on the supplies, but I am afraid will enter on new Acts that will be more and more uneasy. Therefore I am sure it is the queen's interest to put a conclusion as soon as possible, either by allowing the Act to be passed—or if her Majesty is persuaded it may prejudice her affairs more elsewhere than advance them here, then that it is fit her pleasure be known as soon as possible, that we may be adjourned."¹

Revelations of the personal feelings or opinions of royalty as to critical political conditions are rare. Hence the following morsel, addressed by Queen Anne to her faithful friend and servant Godolphin, may have some interest, though it reveals little. It is dated from Windsor on the 14th of June.

To those who are acquainted with the gossip of the period, the self-consciousness that in this letter anticipates an accusation of obstinacy may be curious and interesting. Until the great contest with Duchess Sarah who made the charge of obstinacy, it would be difficult to find any period in history so absolutely free of vestiges of such an interruptive element. We

¹ *Ibid.*, 54. A few days later we find Tarbat writing in like tone to Nottingham on the same critical question of the completion of the Act of Security.

see the empire passing onward to its mighty destinies with a calm unimpeded flow unexampled in its previous history. If we desire to see what obstinacy in the sovereign is capable of accomplishing, we have but to look back to the reign of Charles I. And when the great contest came with Duchess Sarah on the one side and Abigail Hill on the other, we shall find that it was on a question of ecclesiastical patronage affecting its highest range—the Bench of Bishops. The existing but endangered Ministry would have it a political, but the queen made it a religious question; and it was an instance of that impulse, whether we call it zeal or fanaticism, that strove to bend everything to its service.

“Though you tell me you intend to be here either to-morrow night or Saturday morning, I cannot help venting my thoughts upon the Scotch affairs: and in the first place I think these people use me very hardly in opposing Lord Forfar being of the Treasury; and I should be very glad to know your opinion whether upon this refusal I might not write to the Commissioner to let him know, if he does not think it for the service that Lord Forfar should have the post I recommended him to, I would let him have some other that may be equivalent to it; and that I do expect he should comply with this one desire of mine, in return of all the compliances I have made to him. This may displease his Grace’s touchy temper, but I can’t see it can do any prejudice to my service; and in my poor opinion such usage should be resented. As to the Duke of Queensberry, though he is none of my choice, I own it goes mightily against me—it grates my soul—to take a man into my service

that has not only betrayed me, but tricked me several times,—one that has been obnoxious to his own countrymen these many years, and one that I can never be convinced can be of any use. But after all this, since my friends may be censured, and that it may be said if I had not been obstinate everything would have gone well, I will do myself the violence these unreasonable Scotsmen desire; and indeed it is an inexpressible one. The draft of the letter and instructions, as you propose, will certainly be much better than those that are come out of Scotland; but I am entirely of your opinion, that no method will succeed. My heart was so full that it was impossible for me to forbear easing it a little, and therefore I hope you will excuse this trouble.”¹

In harmony with these expressions of the royal mind, we find Godolphin, in a letter to his colleague Nottingham, saying, “I find the queen is not at all easy at the accounts she has from time to time received of her affairs in Scotland. She has commanded me this morning to desire that your lordship would, against the next coming hither, consider what directions and instructions may be proper to be sent to

¹ Mus. Brit., *ut supra*. The Lord Forfar here referred to is Archibald Douglas, Earl of Forfar. He held none of the high offices or other conspicuous political positions that secure to a man a place in the history of his country, but “he was made a Privy Councillor of King William, and appointed one of the commissioners for executing the office of Keeper of the Privy Seal. He was also of the Privy Council to Queen Anne, and was by her Majesty constituted one of the Commissioners of the Treasury, which he held till the dissolution of that Court in consequence of the Treaty of Union, which he supported in Parliament, dividing with Ministers on every question.”—Douglas’s Peerage of Scotland, i. 597.

her commissioner there, before she begins her journey to the Bath."¹

He has, in the passage that follows, to open his colleague's eyes to an alarming incident in the situation. The queen had sent instructions for the suppression or rejection of the Act of Security, and they arrived too late—an accident not to be regretted, since they would have proved futile.

"Since I troubled you yesterday I have had letters from Scotland, by which I find the Act of Security was passed the House before the queen's orders came for her servants to endeavour the laying of it aside; and my letters say that if the order had come sooner, they should not have had strength to do it. They seem now to persuade themselves they shall have the cess they desire, but not without that condition of passing this Act; and I find the Duke of Queensberry himself, as well as all the others, inclining to wish the queen would pass both together, because he says that without it neither the troops nor the civil Government can be supported, but all must fall to pieces and give way to the power of the opposite party there; since, without a new one be granted, the present cess will not be paid."²

Three days later the matter comes so home to these statesmen, as responsible for the peace and safety of England, that they find it necessary to act, and begin by a meeting of the Cabinet.

"BATH, 23d August 1703.—As to the affairs of Scotland, her Majesty doth also agree with you that the difficulty will be great either to pass the Acts

¹ Mus. Brit. Addl. MSS., 29589, f. 82.

² 20th Aug. 1703.—Mus. Brit. Addl. MSS., 29589, f. 96.

desired by that kingdom, or to be without a provision for the support of the civil and military government there, the want of which must probably bring that country into great confusion, and give opportunity of advantage to the factious and opposite party. But since it is necessary that some resolution of her Majesty should speedily be sent to Scotland, and that the matter is of so much consequence to England as well as Scotland, as not to be determined without the opinion of the lords of the Cabinet Council, the queen commands me to tell your lordship that she desires you would acquaint those lords who are with you at London with the matters of fact which have passed there, and the consequences of them one way and the other, and transmit to her Majesty the result of their thoughts; upon the receipt of which her Majesty intends to call together those lords who are here, in order to guide her in such a resolution as they shall think most proper, to be sent to Scotland upon due consideration of the whole matter; in which for the fuller information of your lordship, and those lords whom you shall summon upon this occasion, the queen has commanded me to send you the two last letters she has received from the Duke of Queensberry and my Lord Tarbatt; and I beg leave to add one more from my Lord Privy Seal to myself,—desiring the favour of your lordship that you would not forget to return me these letters again, because they should also be considered by the lords of the Cabinet Council who are here.

"It is observable enough that the queen's servants in Scotland, who agree in nothing else, do yet all agree

it would be for her Majesty's service in that kingdom to pass these Acts, since they relate only to what may happen after her Majesty's reign; and in the meantime there may be opportunities of retrieving in another session of Parliament the inconveniences which would otherwise happen; but my Lord Privy Seal's letter says very plainly, that in case this should bring a difficulty upon her Majesty's affairs in England, he would use all his endeavours with those he could influence to quiet the minds of the people of Scotland."¹

Throughout what appears in historical narrative as the wild work of an excited multitude, a thorough practical spirit governed the legislation of this Parliament. The disposal of the armed power of the nation must not be left to chance, or be placed absolutely in the hands of any one having power to assume the title of sovereign. Accordingly, through much hot debate, there passed by majority an "Act anent peace and war," the material provision being, that on the death of the queen, if childless, "no person being king or queen of Scotland and England shall have the sole power of making war with any prince, potentate, or state whatsoever without consent of Parliament; and that no declaration of war without consent foresaid shall be binding on the subjects of this kingdom."²

If this Act, as supplementary to the Act of Security, carried defiance on its face, another Act, that seemed to carry in its terms an innocent and eminently genial character, was discovered by the Opposition to contain hidden elements of danger.

¹ Mus. Brit. Addl. MSS. 29589, f. 107.

² Act. Parl. Scot., xi. 107.

Its tendency was to make wine abundant and cheap, declaring "That it shall be lawful, from and after the date hereof, to import into this kingdom all sorts of wine and other foreign liquors, any former Act or statute on the contrary notwithstanding." The Act passed after a vain protestation by a minority, pleading "that this Act allowing the importation of French wine and brandy ought not to pass, as being dishonourable to her Majesty, inconsistent with the grand alliance wherein she is engaged, and prejudicial to the honour, safety, interest, and trade of this kingdom."¹

A curious little personal affair, communicated to Godolphin by some member of the Estates, who did not sign his letter, is further exemplification of the fiery particles scattered in that assembly. It brings together the names of two men who were then the antithesis of each other as eminent and obscure, but whose position was afterwards signally reversed—Edward Chamerland or Chamberlayne and John Law. Chamberlayne was an "authority" on matters of finance, trade, and currency; and he was solemnly consulted by the statesmen of the day as an adept in these matters, though, as it often is with those who profess to enrich nations, he seems to have been steeped in poverty; and in the proceedings of the Estates his projects for enriching others alternate with interpositions to protect him from his creditors.²

¹ Act. Parl. Scot., xi. 102-112.

² "Chamberlain, Hugh, M.D., memorial relating to land credit, presented by him remitted to a committee;" "read, and ordered to be printed;" "an overture by him for the better employment of the poor to be considered;" "warrant granted to him to cite his creditors with a view to a protection."—Index to Scots Acts.

Many less defensible projects than his land credit scheme had charms for those smitten by the speculative frenzy of the day. Its founder could always preach with truth that its security was absolute. He had not, however, reached the inner truth discovered and revealed by the French at the heavy cost of the ruin of their assignats, that not being convertible at sight it was a security unfit for the protection of a currency. The "one Mr Law," who will be recognised as the owner of a name destined to ring over all Europe, was then a young gentleman—pleasant, gay, and dissipated. But what gives importance to their names here is the testimony to the inflammability of the assembled Estates, in the paltry nature of the dispute about them that set two statesmen to mortal conflict. This was, in the words of Godolphin's correspondent, "occasioned by a proposal of one Mr Law, whom Fletcher was for confronting with Dr Chamberlain in full Parliament, there to reason and debate the matter, so as that the House might be the better satisfied which of their proposals was the most practicable and advantageous. This the Earl of Roxburgh thought very unfair—to oblige a gentleman to come to the bar without he himself was willing to appear in so public a manner, especially since he had not dedicated his book to the Estates of Parliament, nor so much as put his name to it; and therefore his lordship said that Mr Law, or any other gentleman who had employed his time and thoughts for the good of his country, ought to be treated with good manners." These words roused the fiery soul of Fletcher, who pushed the application until he was told,—that if he took it to himself he

might. "Upon which Fletcher stood up and said, 'I take it as I ought.'" This justified the commissioner in ordering both under arrest. However, they found their way, with seconds, to the sands at Leith—the accustomed spot for the adjustment of such affairs. Roxburgh's second objected to swords, on account of an injury or weakness that disqualified him from fair fencing; but Fletcher produced a pair of pistols, "desiring very *cavalièrement* his lordship to take his choice." At this critical moment the affair was interrupted by a party of the Horse Guards.¹

When the Scots Parliament reassembled in July 1704, the Act of Security was repassed without debate as a thing settled by the Estates. It was followed by provisions for calling out the wapenshaws or meetings of militia, and for a general arming of the nation. A supply was also passed, and it was significant in not being passed before, but after, the Act of Security: this was a precaution imitated from the tacking devices of the English Commons, of which we have seen examples. It might be conjectured from the action of England at this juncture, that the sage Godolphin did not regret the formidable measures of Scotland, in some hope that the dread of war might frighten the great trading interests of England into compliance with the free trade demands of Scotland. The tone of the alternative presented tended to this effect: "Doubtless if you let these starving Scots compete with you in a free trade, every pound made by them will be a pound lost to you. But if you do not yield there will be war, and

¹ Brit. Mus. Addl. MSS. 28055, f. 248, 249.

that will damage your trade more than competition. It cannot be helped : the sacrifice of free trade must be made."

Meanwhile England took a step that was at once the most dignified and safe for her own national interests, and the least offensive to the Scots, however formidable it might be. The policy that seemed to keep out of sight the existence of Scotland as an independent State, capable of making war or peace with any other State, England included, was dropped, and in return for the threat by Scotland, active preparations were made for war on the side of England. The whole question was discussed in a solemn sitting of the Lords—the queen present. An address to her desired the fortifying of Newcastle and Tyne-mouth, and the repairing of the works at Carlisle and Hull; further, that an army of regular troops be marched to the Border, and that the militia in the four northern counties be embodied. It was enacted that, with the exception of Scots naturalised and permanently resident within the dominions of the Crown of England, or enrolled in the fleet or army, no native of Scotland "shall be capable to inherit any lands, tenements, and hereditaments within this kingdom of England, or the dominions thereunto belonging, or enjoy any benefit or advantage of a natural-born subject of England; but every such person shall be from thenceforth adjudged and taken as an alien, born out of the allegiance of the Queen of England, until such time as the succession to the crown of Scotland be declared and settled by an Act of Parliament in Scotland in the same manner as the succession to the crown of Eng-

land is now settled by Act of Parliament in England, in case of her Majesty's decease without issue of her body."¹ Here were threats—and they were threats that proved effective for their end,—but they were the threats not of a master but of a bargainer, leaving to the other party acceptance or rejection. England said virtually, "We have chosen our line of succession: if you see fit to select the same, we are ready to unite with you as one empire; if you do otherwise, we remain separate independent sovereignties, at peace or war as it may be."

Then followed restrictions and prohibitions for fully completing the disruption, if so it was to be; but what suffused a healing balm throughout this formidable statute was, that at the commencement, as introductory to its hostile and penal clauses, stood a plenary authority to the queen to appoint commissioners to treat with such commissioners as might be appointed on the authority of the Parliament of Scotland to meet them for the adjustment of a treaty of union between the two kingdoms.

If in the minds of those chiefly responsible for the adjustment of this Act there arose any vista of doubts or difficulties, fed from religious antagonism, they led to a conclusion in the same spirit. There was no word or hint as to religion in Scotland; but the final clause secured England, by enacting "That the commissioners to be named in pursuance of this Act shall not, by virtue of such commission, treat of or concerning any alteration of the liturgy, rites, ceremonies,

¹ 3 & 4 Anne, ch. 7, "An Act for the effectual securing the kingdom of England from the apparent dangers that may arise from several Acts lately passed in the Parliament of Scotland."

discipline, or government of the Church, as by law established within this realm."¹

In the Scots Parliament there was much talking, and some wild things were said by Fletcher and others, but there was nothing that could be called a debate. The only party who had critical issues to put to debate and division were the Jacobites. But action on their part was a question of life and death, and no opportunity came for their interposing, with the faintest chance of safety. They ventured, indeed, on a critical division, but it was rather because it would bring to their numbers, on that division, the Fletcher party, than because the policy they proposed was congenial to Jacobitism; and, in fact, Fletcher was the champion of their cause. The question was opened on the appointment of the commissioners to meet those appointed by England—should they be named by the queen or by the Estates? The majority felt their power, and would give no quarter. The business was hurried through with the impatience of people who have their opportunity and may lose it. The nomination by the queen was carried by a majority of 40; and on the 1st of September, close to midnight, the Act for a treaty with England passed. In response to the concluding clause of the English Act, a condition was carefully prepared and adopted with deliberate consideration: "That the commissioners shall not treat of or concerning any alteration of the worship, discipline, or government of the Church of this kingdom, as now by law established."

We have now come to the end of the Parliamentary contest that happily ripened into the conclusion

¹ 3 & 4 Anne, ch. 7, s. 11.

that a union of the two kingdoms was a thing that must be, and created the machinery that was to adjust it. Between this point, however, and the final adjustment, the two kingdoms were perplexed and troubled by incidents, some of them violent and tragical, and all pointing to the sad conclusion that war between the two nations might still break in upon the blessed prospect that had been opened. Before dealing with these difficulties and their solution, let us turn to a war elsewhere, where English and Scots fought side by side with such success as to destroy at its source that element of peril to the two countries that was the most imminent of all, an invasion by King Louis in the cause of the house of Stewart.

CHAPTER V.

The War in the Netherlands and Germany.

TERRITORIES ACCUMULATED UNDER THE SPANISH MONARCHY—DEATH OF THE KING AND THE END OF HIS LINE—GENEALOGICAL CONDITIONS POINTING TO COUNTER-CLAIMS AND WAR—THE AGGRANDISING POLICY OF LOUIS XIV. AND ITS SUCCESS—STIMULATED BY THE WILL OF THE KING OF SPAIN BEQUEATHING THE SOVEREIGNTY OF THE SPANISH DOMINIONS TO HIS GRANDCHILD—DECLARATION OF WAR AND FORMATION OF THE GRAND ALLIANCE—POSITION AND PERILS OF THE DUTCH—DIFFICULTY OF RAISING A FORCE IN BRITAIN—RECRUITING—THE TRADING SPIRIT OF THE DUTCH—DIFFICULT TO SUPPRESS IT EVEN WITH THE ENEMY—THE RESCUE OF NYMEGUEN FROM THE FRENCH—MARLBOROUGH GOES IN COMMAND OF THE BRITISH CONTINGENT—HOW HE BECAME COMMANDER OF THE ALLIED FORCE—MARLBOROUGH'S SEIZURE OF THE FORTIFIED TOWNS.

THE two great divisions of Spain were united into one monarchy by the marriage of Isabella of Castile with Ferdinand of Aragon. By previous successions the house of Aragon had acquired Majorca, Sardinia, Naples, and Sicily. Their only surviving child was a daughter,—the mother of two emperors and four queens,—but known in history as "Jane the mad;" she, by her marriage with Philip of Austria, carried the succession to all these realms to their son, the Emperor Charles V., who added his possessions in

the Netherlands, and the duchy of Milan, to the rapidly-accumulated dominions. To the House, endowed with dominions so vast among the ancient States of Europe, there arose a vision of boundless empire beyond the Atlantic; and all of America then known to exist, with all that should afterwards be discovered, was claimed in the sovereignty of "the Indies," completing the chain of dominion on which "the sun never set."

The traditions of the revival of an Empire of the World—of a unity in the civil government of mankind, such as Rome had bequeathed in the popedom—was then a lively image in the eyes of ambitious sovereigns; and he who was master of so many realms seemed on the way to achieve it. Its natural consummation seemed to be defeated and postponed when the imperial rank was severed from the throne of Spain and the Indies—the one falling to the brother of Charles V., the other to his son Philip II. of Spain. During the reign of Philip's great-grandson, Charles II., there had arisen a rival Power that might, in the end, dispute the Empire of the World. At the end of the seventeenth century, Louis XIV. had reached the climax of his aggressive career, and turned the apprehension of statesmen from the Spanish to the French empire, when a succession of events raised the alarming question, What if the King of France should acquire the vast empire ruled by the sovereign of Spain and the Indies?

It became clear that Charles II., King of Spain, was to die childless. On whom, then, would the succession to his vast dominions fall? Two princesses of Spain, daughters of Philip IV., and therefore sisters

of King Charles, were married. The husband of the elder, Maria Theresa, was Louis XIV. of France. Their eldest son, the Dauphin of France, was accordingly, under the rules of pure hereditary succession, admitting female descent when there was no male representative equally near, the heir to the possessions of the King of Spain. The younger daughter, Margaret Theresa, was married to the Emperor Leopold. They had one daughter, who became the wife of Maximilian Emanuel, Elector of Bavaria: their son, yet a child, Joseph Ferdinand, Electoral Prince of Bavaria, was hence the second in the order of succession. At the same time his grandfather, the emperor, stood third in order, his mother having been a sister of Philip IV. of Spain, and the aunt of King Charles and his two married sisters.

There might be special customs or laws applicable to some of the territories held by the King of Spain excepting them from the direct line of succession. Milan, for instance, was claimed as a fief of the empire, lapsing to the emperor on the death of the King of Spain. But among the priests and civilians clustering round the despotic Courts it was becoming a prevalent doctrine that the rule of succession by primogeniture should prevail over all others as the law of God. Hitherto but imperfectly known and obeyed, it was, on close examination, seen to be a beneficent law, telling all men how to act, and showing them the way to keep absolutely clear of all mistakes and all disputes. Whether it were limited to the male descendants alone, as in France, or successively exhausted the several male branches and then passed into the female, the precise position of

every descendant in the line of succession was known as absolutely as the celestial phenomena of the rotation of the moon and of the earth. It was a period when discoveries in the fixed laws of nature were coming forth in rapid succession, surprising mankind with their beautiful simplicity and the absolute-ness of their precision; and here was one of these laws given to man for the preservation of peace and loyalty, could he but see and obey it. The mighty calamities that had shaken England for sixty years were the punishment preadjusted by the Deity to follow any outrage or neglect of these beneficent laws; just as calamities follow when the laws of the physical forces of nature are outraged. King Louis himself had paid homage to this law, in so far that, while it was his manifest interest to conciliate the powerful monarch who reigned in England under the Revolution Settlement, he solemnly acknowledged as king of the British dominions the son of the exiled James II. immediately on the father's death.

At the Treaty of the Pyrenees, where the marriage of King Louis with the Spanish princess was adopted, there were clauses abjuring, on both parts, any claim by the offspring of the marriage to any of the possessions of the Crown of Spain, and in strong terms declaring any such right of succession to be a thing impossible.¹ Louis himself came under not only a solemn obligation, but an oath sanctioned by invocations and denunciations the most sacred that the

¹ "Les enfans et descendans, que Dieu nous donnera de ce mariage, soyons et demeurions inhabiles et incapables, et absolument exclus du droit et espoir de succéder à aucun des Royaumes, États, et Seigneuries, dont se composé cette couronne et monarchie d'Espagne."—Dumont, Corps universel diplomatique, vol. vi. part ii. p. 288.

Church could find, that he would be faithful to these conditions, and do everything in his power to make them effectual. But this treaty was now forty years old, and the aspect of things had changed. If the laws of God bestowed rights on any of his descendants, was it in his power prospectively to cut them off? Then, as to the obligations of the promise and the sanctions of the oath—these were things transacted with the Church, and the Pope was a party to them. The Church could relieve him from his obligations: they were like the securities implicated with a creditor, who can discharge the debt and renounce the pledges. Rome would do what was required. Louis XIV. was not the most submissive son of the Church, but he was its most valuable champion. He was remorseless in the extirpation of heresy, and all his projects of aggrandisement made common cause with the expansion of the spiritual supremacy of Rome. At such a juncture the nature, and especially the value, of the Spanish inheritance were eagerly examined and discussed. It could not but be that the land possessed of all the known gold-districts in the New World, and receiving successive galleons laden with ingots, must be the richest of all nations. Yet Spain was about the most impoverished of European States; for the gold was not permitted to be used for its legitimate purpose as a medium of commerce—its exportation was prohibited. The servants of a Duke of Albuquerque were starving, and his creditors unpaid; but what the outside world saw was, that he had forty silver ladders to mount up to the sideboards where his plate was piled in hundred-weights. The country of which such things were

said, dazzled the eyes of statesmen so that they could not see its real poverty and misery.

But would the richness of the new possession be available to assure and strengthen the old? There were misgivings in the very greatness of such an acquisition. Its size and weight might overbalance the old possessions of the house of Aragon, and lead to results that could not be with certainty counted on as propitious. Misgivings on this point were fostered by the political aspect of Spain. Those who represented its nationality were not afraid of coming under the dominions of a Bourbon, or any other stranger, so long as the dominions of the Crown of Spain kept together under their existing constitution. Of this constitution the proud kingdom of Old Castile was the centre—the other territories that, one after the other, clustered round it being counted as subordinate provinces or colonial possessions. Whatever other part of the world came under the same sovereignty would be looked on with the same eye. There could be no more community of spirit between the governing powers of France and Spain than between the fresh glories of Versailles and the sombre gloom of the Escorial; and Spain would count the difference between the two as expressed in her own superiority. Of all the proud aristocracies of Europe, the hidalgos of Spain were the proudest. If the brilliant courtiers of the Tuileries looked down on them as sombre provincials, retaining obsolete etiquettes and costumes, the hidalgos would reverse the order of the estimate, largely enhancing the difference in their own favour.

From such considerations the sage advisers of King Louis seem to have persuaded him that it would be

the wiser course in the meantime to be content, or profess to be content, with the outlying possessions of the King of Spain—possessions that France might some day enclose within an expanding frontier—and leave Spain to be otherwise disposed of, always provided it did not fall to the Empire: that would be the rise of a rival Power to a distinct superiority over the power of France. Our sole real testimony to the influence of such considerations is the renowned Partition Treaty, negotiated at King William's Dutch palace of Loo, and concluded at the Hague, on the 11th of October 1698, by the representatives of France, England, and Holland. By a complicated phraseology of obligatory assurances, the royal family of France abandoned all claim to the crown of Spain, on condition that the Dauphin was insured Naples and Sicily, with some small islands off the Italian coast, the principality of Piombino, to which the celebrated island of Elba belonged, and the Marquisate of Finale—a small territory, but strongly fortified, that might prove valuable to France as an entrance to Savoy and Piedmont. To these were added an extension of frontier on the side of the Pyrenees equivalent to the old province of Guipuscoa. Milan was to be given to the Archduke Charles, the second son of the emperor. These territories being so distributed, the electoral prince—the second, as we have seen, in the hereditary order of succession—was to have what remained,—the kingdom of Spain, including the Spanish Netherlands and “the Indies.”¹ Events crowding on each other immedi-

¹ See the treaty at length—Dumont, ‘Corps universel diplomatique,’ vii. 442. This—“the first Partition Treaty”—has been severely

ately after the treaty, proclaimed its futility. Before the end of the year 1699, the electoral prince died. Had the succession been left to the rule of hereditary descent, this would have had no immediate effect; but it made waste-paper of the Partition Treaty. At the same time, it rendered more emphatic and distinct the supreme claims of the Dauphin. These, it is true, were not weakened by the existence of the electoral prince. As the son of the elder sister of King Charles, the Dauphin was his heir; and as the

handled, both in history and political controversy, as a prospective dismemberment and distribution of an empire by those who had no occasion, either through right or duty, to dispose of it. There is this, however, to be said for the treaty, that it did not break up a compact nationality, or bring to an end relations between a paternal Government and confiding subjects. It could not be an obvious calamity to the Neapolitans and the Sicilians that they were no longer to be the subjects of a sovereign who was King of Spain and lived in the Escorial. On the question of interference, the family that stood in order of succession as heirs to the whole, could come forward with a good grace to abandon the greater part—“parce que sa majesté catholique n’ayant point d’enfants, et la succession venant à manquer, cela causeroit infailliblement une nouvelle guerre si le Roi T. C. vouloit soutenir ses prétensions, ou celles du Dauphin, à toute la succession d’Espagne.” The great source of misgiving about the treaty lay in the question, What did King Louis mean by it? Was it possible to believe him to be sincere? If he had secured to himself the Spanish Netherlands—the next prospective stage in the progress of French aggrandisement—it would have been more easy to believe in his sincerity. No doubt King William would not have agreed to this. But that still leaves it a mystery that King Louis should have bound himself to abandon a possession so desirable—a possession he seemed never to lose any other opportunity but this of bringing within his grasp. In the debates in the English Parliament when the treaty was discovered, charges of perfidy and treachery were distinctly made against King Louis. But the main object of Parliament was to censure King William for transacting this great affair in secret. It was in the royal prerogative, no doubt, to make treaties; but if Parliament were not consulted beforehand on their tenor, it was the duty of the sovereign immediately to tell Parliament what he had done: and members seemed to feel that it mitigated the disagreeable duty of censuring their own king to cast heavier charges against the other.

son of the younger sister, the electoral prince was not his heir. But both were nephews of the King of Spain; and when the person who was next to the Dauphin was a cousin of King Charles, the disqualification of the second in order during the life of the first was more emphatic and distinct.

The politic brains of the chief European statesmen were now at work in devising a new Partition Treaty, and it was all but completed. There was, however, a conclave in the Escorial who thought they might find stronger words to conjure with if they could lay before the world the deathbed injunction of one who never was endowed with the faculties, bodily and mental, common to mankind at large, and who retained but a remnant of his meagre allotment of vitality. They were successful in giving practical shape to the suggestion. The French interest prevailed in that conclave by securing an unscrupulous priest, who led its councils. The British Government took no further concern in the hidden work of the conclave than in the feeling of a becoming and natural curiosity to know results. A story has been often and picturesquely told of machinations dealing with the dead in the great burial-vault of the Escorial, and summoning the aid of diabolical agencies.¹

Charles II. of Spain died on the 1st November 1700. It was immediately announced that a month before his death he had signed a will disposing of his empire to one of the royal family of France. King

¹ See Coxe, 'History of the House of Austria,' chap. lxvii.; Dunlop, 'Memoirs of Spain during the Reigns of Philip IV. and Charles II.,' and the conclusion of Macaulay's History.

Louis had but one son. He, the Dauphin, already spoken of as heir to the Spanish dominions according to the rule of hereditary descent, had three sons. The eldest of these was heir to the crown of France. The second—the Duke of Anjou—was named in the will as King of Spain. This he in the end became, founding the Bourbon dynasty of Spain; and therefore it is unnecessary here to follow the long testamentary document signed by King Charles through its intricate provisions in case of the Duke of Anjou's death and other contingencies.¹

This was a divergence from the divine right of hereditary succession, but it was a divergence in a legitimate direction—the direction not of delegating the power of sovereigns to their people, but of continuing it in the persons of sovereigns. King Louis accepted the bequest in a solemn instrument signed, sealed, and registered by the Parliament of Paris. In this document he took occasion, through his "pleine puissance et autorité royale," to alter an important provision of the will. The choice of the second son had been made, that the heritage might not fall to the King of France, and the complex provisions of the will were directed to meet any future contingency that might settle the two crowns on one head. All this King Louis swept away by a declaration that the new King of Spain and his offspring should lose no claim that any of them might inherit to the crown of France.²

¹ See the document at length, Dumont, v. 485. A translation of it was printed in London in a pamphlet of the day.

² "Lettres patentes de Louis XIV., Roi de France et de Navarre, pour conserver à Philippe, Duc d'Anjou, son petit-fils, et tout ses descendants mâles, les droits entiers de leur naissance, et particulièrement celui de

The Dutch had made themselves a sort of centre of equipoise in the balance of the greater European States. Their small republic was kept in existence because its extinction would forebode danger to greater Powers. The chief fortified towns of the Spanish Netherlands were said to be a barrier of protection to the United Provinces; and that they might practically be what they were called, it was the duty and the privilege of the provinces to furnish a certain contingent to their garrisons. These "barrier fortresses" were Luxemburg, Namur, Charleroy, Mons, Ath, Nieuport, and Oudenarde. King Louis with great dexterity drew out these Dutch troops and replaced them with Frenchmen: he was not to let the king, his grandson, be dependent on foreigners—on foreigners of an offen-

pouvoir succéder à leur tour à la couronne de France, nonobstant leur élévation à celle d'Espagne," &c.—Dumont, vii. 494.

King Louis had an accomplished and diligent representative at the bedside of the sick man—the Duc de Harcourt, Maréchal of France, who arrived at his post in 1698, and held close correspondence with his master until the end. In the chateau of Harcourt, in Normandy, were the muniments of an ancient house, and it was supposed that the correspondence between the king and his representative might be among them. In the thick of the Revolution, however, a bonfire was made of the family *chartrier*. It is now known that Madame de Harcourt had thrown a quantity of valuable papers into a wardrobe, piling over them uninviting morsels of clothing; but she left the chateau and never returned, either to search for what she had hidden or reveal the secret. It was in a search throughout the castle for materials for a history of Normandy that the correspondence was recently discovered, and it will be found in 'Avenement des Bourbons au Trône d'Espagne, correspondance inédite du Marquis d'Harcourt, Ambassadeur de France, au près des Rois Charles II. et Philippe V., tirés des archives du Chateau d'Harcourt et des Archives du Ministère des Affaires Étrangères, publiée avec une introduction, par C. Hippeau: Paris, 1875: 2 vols. The reader of this book who expects to find in it full revelations of the subtle, unscrupulous, and successful diplomacy of King Louis will not be disappointed.

sive kind—while he had in France a superabundance of unemployed soldiers.¹ There was a terrible significance in this act. It was feared that Louis would take possession of these Dutchmen as prisoners of war. But war had not yet been proclaimed. The kidnapping would be too flagrant even for King Louis, and with a greedy reluctance he let them go.

On the 16th of September 1701, the exiled King James II. of England and VII. of Scotland died at St Germain. The event would have been of little moment but for another that immediately followed it. King Louis publicly acknowledged his son as his successor in the kingdom he had lost. There was a curious haste in the act, but it was performed with accessories of solemn state calculated to draw the eyes of all the world to the ceremonial. Thus there appeared at Versailles and St Germain a new king of the British empire, appointing officers of State and granting patents of nobility. It was a thing done not only without ministerial approval, but in defiance of all entreaty and remonstrance by the ministers of the French Crown—one of the deeds of passionate insult and defiance such as self-willed and tyrannical natures are liable to when they are lashing themselves into the humour for a quarrel. The official people did their best to neutralise its effects. It was the mere kindly impulse of a generous nature—it meant no-

¹ The best account that I have seen of this achievement is in the 'Mémoires militaires relatifs à la succession d'Espagne sous Louis XIV. Extraits de la correspondance de la cour et des généraux par le Lieutenant-Général de Vault, directeur du dépôt de la guerre, mort in 1790.' 1834-50. This book, which will hereafter be cited briefly as 'Mémoires militaires,' is in the "Collection de Documents inédits sur l'Histoire de France," published by the French Government under the direction of Guizot.

thing that could affect diplomatic relations. But it was a thing done that could not be undone. The English ambassador was withdrawn from Paris without the ceremony of leave-taking, and the French ambassador was hastily dismissed from London.

When these sinister events had their climax in the death of King William, it was as if a guardian angel had departed. The protector of the British constitution, the champion of Protestantism in Europe, were lost together. It was in the decrees of fate, however, that a mightier spirit was to arise in one more affluently endowed with the powers and the accomplishments fitted to meet the perils of the time than William of Nassau, great warrior and great statesman though he was. When we look back upon the stormy and perilous crisis from a serene distance, we can feel satisfaction in the dispensation of events that let no one supersede Marlborough in the work for which nature had endowed him—work sublimely described by one nearly as supreme in letters as the object of his panegyric was in arms, "to ride the whirlwind and direct the storm." How absolutely King William while he lived would have taken the direction of the war was shown by this, that only with difficulty was it kept out of the hands of Prince George of Denmark. He was compensated with the office of Lord High Admiral—a sagacious choice between the two, since the handling of a fleet, even to the extent of mismanagement, required an amount of technical skill far beyond his attainments and his capacity.

It is worthy of remembrance that the powers imparted to Marlborough to represent England both in

diplomacy and war in the coming crisis, were conferred by King William, and were his last great act of statesmanship before his death. It has been suggested that as Marlborough was known to have supreme influence with the princess who was likely soon to be queen, foreign Powers would rely on his capacity to fulfil the obligations he accepted, and would all the more readily listen to the conditions demanded by him. But we may also be assured that King William would have made no such selection had he not believed Marlborough to be pre-eminently qualified for his mighty task.

As the fruit of his diplomatic skill and industry, the Government of Queen Anne inherited the Grand Alliance, completed on the 7th of June 1701. It professed to bind in perpetual and inviolable friendship and co-operation the Emperor, Great Britain, and the United Provinces. Other Powers attached themselves to it as a fundamental organisation for all. It superseded separate diplomacy with such Powers. They were free to accede to it, or cast their lot with its enemies, but it could not be qualified or amended to suit their inclinations. There was a powerful simplicity in this principle conducive to rapidity and decision throughout the momentous train of events inaugurated by it. The preamble, or statement of the conditions demanding such an alliance were,—that the inheritance to the dominions of the King of Spain belonged in right to the house of Austria; that France claimed and was taking possession of them; that thus the French and Spanish dominions would come to be virtually one empire, and that the Power thus created would be so formid-

able that it would become supreme in Europe.¹ There were other dangers to the trade of Britain and the existence of the United Provinces; but the ultimate aim of the Grand Alliance was expressed in this brief and comprehensive form.²

When the bursting of some great storm is imminent, the eyes of men search out the spot where its first blow is to be dealt—the spot where it may be seen by the merely curious, and may be averted or mitigated by those more closely interested. In this instance the spot was small, but the gathering of the forces pointed to it with indubitable distinctness; it was the small town of Nymeguen, on the eastern frontier of the United Provinces, generally, for brevity's sake, called Holland.

The possession of Nymeguen came of the craving of watery Holland to have one foot on the firm ground. Nature had made the rest of the country a morass of sedge, sand, and mud. People who were prepared to buy freedom at any price fled to the inhospitable shelter of these wilds; and as the people who loved freedom were also industrious and frugal, the wilderness began to smile under their industry, and after centuries became the richest soil in Europe. It was not only thus an object of cupidity to robber Powers, but it was traversed by roads and canals, available to those who had possession. And this availability was not merely from place to place in Holland, but through Holland towards France on the

¹ "Qu'enfin les François et les Espagnols, étant ainsi unis deviendroient en peu de tems si formidables qu'ils pourroient aisément soumettre toute l'Europe à leur obéissance et empire."

² See it in French, 'Actes mémoires et autres pièces authentiques concernant la paix d'Utrecht,' i. 1 *et seq.* In Latin, Dumont, viii. 91.

one hand, and Germany on the other. This, if it was a cause of danger to Holland, was also a source of strength if adroitly managed; and hence it was that the small group of republics had so much to say along with the great Powers in all disturbances and readjustments of the map of Europe.

Thus Holland was a desirable acquisition for France to make; and in the political school of King Louis and his worshippers, it was in the hands of a very odious people,—a kingless people, living in civilisation and acquiring wealth—a practical outrage on the divine right of sovereigns. There must be some source of quarrel more palpable than this spirit to justify the annexation of Holland, and such a source was ready at hand. The Dutch were rebels against the sovereignty that now by divine right belonged to the grandson of King Louis. It is true that half a century had passed since the independence of the Provinces had been confirmed by all Europe in the peace of Westphalia. But rebellion and sacrilege remain the same in character, however successful the wicked perpetrators may have been for a time: the hour of retribution had come at last.

Within its wall the town of Nymeguen, with its winding steep streets, stands much as it did when the eyes of Europe were upon it. Outside, its mighty fortifications have been crumbling into unsightly hillocks of sand and turf, save where portions of them have been made available in the construction of railway lines and harbour works. The great river Waal—carrying with it the larger portion of the Rhine to the sea—washes the town; but though the Waal is the natural boundary of this part of Holland,

Nymeguen has its back to the river, and stands outside facing the enemy with its fortresses. This position gave Nymeguen the mastery of all the branches of the Rhine. The only other branch lying between Holland and Germany turns off a few miles eastward, and is naturally under the protection of Nymeguen, which was thus the entrance-gate not only to Holland, but to the German bank of the Rhine. The events of later wars give accumulated proof of the momentous significance of such local conditions. In the words of the statesmen of the time, the critical nature of the situation was expressed in the words, "Nymeguen on the Rhine boundary." Those who were not hearty in the cause spoke of the narrow selfishness of the Dutch in driving Europe into war for so small a matter. Holland, too, was fundamentally strong. Like some amphibious animals, she could get under water for a time; her pastures had been flooded in the hour of imminent peril, and the resource might be sought again. But the drenching would be a dire loss both of possessions and people. Was it fair that Germany should be saved by this sacrifice? Would Britain stand by and see, in stolid indifference, so pitiful a calamity to a friend and neighbour? But there were considerations that sharply touched a powerful party in England with something more palpable than the prospective predominance of France upsetting the balance of the European Powers. It was at the time when theories of the vast contributions made to the wealth of the world by monopolies and exclusive trading privileges were at their climax. The more amply a community was furnished with this source of wealth the richer it became. But it was not in

the nature of the commodity that two communities could partake in its wealth-producing resources. The gain of one was ever measured by the loss to the other. If any State became rich, some other State had become so much the poorer to provide the fund whence the riches of its neighbour had been increased. It is true that there were treaties of commerce by which some nation admitted another as "a favoured nation" to certain assigned trading privileges. But these admittances were distinct pecuniary sacrifices to the exigencies of politics. No nation conceded them willingly, and the man who spoke of them as advantages to both parties would have been counted a maniac. It was simply the policy of imparting a share in the precious privilege to a friend, lest, becoming an enemy, he might seize the whole. If the London capitalist could not well see it to be his duty to sacrifice some of his money to stop the house of Bourbon in its march to universal empire, his tenderest susceptibilities were touched when he was told how that universality of dominion included the exclusive command over the trade of the world. The process had already begun by which England was to be excluded from this and that market. In the first place, the Spanish market was lost; and Portugal had agreed by treaty to share in the policy of Spain under her Bourbon king. The command of the entrance to the Mediterranean—Gibraltar—secured the trade of all that seaboard, by guarding Sicily, Naples, and the other Italian possessions of the Austrian kings of Spain, for the Bourbons. It was more alarming than even all this that the Indies—the Spanish American colonies, with all their

boundless prospects of enlarging inhabitancy and commerce—were to be closed to the trading vessels of England. The Spanish Netherlands were lost to English enterprise. The blight was to work its way through Holland, and might pass into Germany and Scandinavia. The great trading interests of England had been roused into a paroxysm of fear and wrath by the Scots projects of an Indian and African company, with a settlement at Darien; but what was the puny competition of this poor relation when measured with the vast combination of forces that now threatened to crush out of life the trade of England?

Nymeguen was the entrance-gate to Holland, and all that could be reached by passing through Holland. When the fortifications outside, commanding all the approaches available to an enemy, were fully equipped and manned, the gate was closed. But there was no garrison in the fortresses, and they were so divested of equipment that there was said not to be a gun mounted on the vast works. In the spirit of economy it appeared that the Dutch Government had trusted to the Barrier Forts as a sufficient protection. But when these forts, with a suddenness more like the wave of a Prospero's wand than even the most rapid operations of diplomacy or war, passed from the hands of protectors into the hands of enemies, the gate was open. All now depended on adroitness and nimbleness in attack or rescue when both parties had shaken free of the trammels of the expiring peace.

As the armies assembled on both sides were hovering on the frontier territories between the Maas and

the Rhine, watching each other, and meeting in the casual affairs that generally begin great wars, it became known to the Earl of Athlone, commanding a force of British and allied troops near Cleve, that on the 10th of June Marshal Boufflers was to cross his front, drive it back with a superior force, and make a dash at Nymeguen. The estimates of the time are, that Athlone's force was from thirty to thirty-five thousand strong, and the French force numerically stronger by a third. There were casual encounters on the way, and in these Athlone's troops were the chief sufferers. Their tactic became a retreat, but it was a retreat towards Nymeguen, with no considerable enemy in the way. It was one of the instances of scarcely merited good fortune. Nymeguen was saved, and the allied force found shelter in its fortresses not only from their immediate assailants, but from a stronger enemy, who were said to be not half an hour's march behind them.

From Lord Cutts, whose name is of frequent occurrence in the details of Marlborough's wars, we have this account of his own part in the relief of Nymeguen: "By the several accounts we had of sudden march, their design seemed to be to get between us and Nymeguen, by which means they would have cut off our provisions, ammunition, and forage; and being very much superior to us in numbers, as well horse as foot, this town with several others would have been at their mercy."

"When our troops were got under the cannon of the town, which began now to play upon the enemy, the queen's forces under my command, who had the honour to close the whole retreat, returned likewise

in good order; and the troops of the French household coming very near me towards the last, and seeming to dispose themselves for an attack, the Prince of Wirtemberg was pleased to join me in person at the head of a body of horse, and to give me his assistance until the very last."¹

Had the race come to another conclusion, a strength more critical in its command over the great issues than almost any other in Europe, would have changed hands without a blow, without being subject to the deterioration that a fortress must suffer from a siege, and without the exhaustion which a besieging army must pay as the price of success.² The Dutch saw

¹ A Relation of the Retreat of the Allies' Army, under the command of the Earl of Athlone, from their camp at Clarembek to Nymeguen, June the 11th, N.S., 1702, addressed to Lord Nottingham.—Addl. MSS. B.M., 29588, f. 59.

² Du Bosc, Military History, i. 101 *et seq.* There is an account of this affair by one who professed to have taken part in it. He says: "By daylight we were within a league of Nymeguen, at which time the enemy's horse began to appear on both sides of us. This made us mend our pace, and they pushed forward to try if they could get between us and the town. Some of their dragoons came so near as to make a push at the Dutch foot, which put them in some disorder. But the next regiments to them facing about, fired upon them, and made them scour back. At length we arrived safe within the outworks of Nymeguen;" and yet, but for aid of an uncommon kind, there would have been no safety in these unequipped outworks. The citizens, seeing the crisis, made a desperate effort to get guns and munition under difficulties, suspected by the writer to have been caused by treachery. "Nor could the burghers obtain the keys of the stores, but were obliged to break them open, to draw the cannon up to the ramparts, and to bring the powder and ball on their backs. When this was done they fired with fury on the enemy and made them retire immediately; otherwise, as their foot was just come up, it was believed they would have attacked us in those noble advanced works, which had been made there during the short interval of the last peace by the famous engineer Cohorn."—Memoirs of the most remarkable Military Transactions from the year 1683 to 1718, &c., by Captain Robert Parker, pp. 76, 77. There is an account of the affair in the 'Mém. du M. de Berwick' (1778), i. 179 *et seq.*

what they had escaped in the sackings and foragings of the French within the fruitful district of Cleve, to which their marauding was restrained by the Waal and the Rhine. It was estimated that Boufflers gleaned in that district twenty thousand head of cattle and half a million of crowns.

Before resuming the chronological order of events the opportunity may here be taken to offer a statement of the situation—of the nature and the position towards each other, diplomatical and military, of the opposing forces. In the middle of March in the year 1702, the anxious States-General were cheered by learning from the British resident that his queen had determined "to despatch the Earl of Marlborough over to Holland, with the character of her Majesty's Ambassador Extraordinary and Plenipotentiary, to give the States-General assurance of her steadfast resolution to adhere to all the treaties of alliance that have been entered into, and to pursue all the measures that have been concerted between his Majesty the Emperor and the States for carrying on the common cause."¹ On the 4th of August, proclamation was made at St James's Palace Gate, Chancery Lane, and the Royal Exchange, of war against the King of France, "who had taken and still keeps possession of a great part of the Spanish dominions, exercising an absolute authority over all the monarchy, having seized Milan and the Spanish low countries by his armies, and made himself master of Cadiz, of the entrance into the Mediterranean, and of the ports into the Spanish West Indies, by his fleets, every-

¹ Mr Vernon to George Stepney.—Letters relative to the Reign of William III., edited by G. P. R. James, iii. 193.

where designing to invade the liberties of Europe, and to obstruct the freedom of navigation and commerce."¹

King Louis made a final effort to secure the Dutch. The change in their position, when they no longer counted the king of the British empire as the head of their State, seemed to offer an opportunity; and from the position of the Dutch lying between France and Northern Europe, their concurrence would have been an acquisition of great value. He addressed their High Mightinesses the States-General in a tone of friendly patronage, shading off into occasional menace. They had shown an ungrateful unconsciousness of the favours he had conferred on them. But the past would be forgiven if there were amendment in the future. They had heretofore been under restraint—they were now free to choose their course, and recover the place they had forfeited in his countenance and friendship. Let them make their choice—quiet and liberty under his august protection, or war and ruin. This was one among the many insolences that seemed to do as much for the subsequent humiliation of the proud king as his reverses in the field. The Estates answered him in proud defiance. They pushed home the dubious references to a state of coercion, accepting them as referring to the loss of their illustrious chief who was King of Great Britain. His memory was fresh, not as an oppressor who had thwarted the national aspirations, but as a friend who had fostered and given power and shape to them; and it was utterly to mistake the nature of their constitution to doubt that they had ever been

¹ Annals, i. 29.

less free than they had been when visited by their great calamity. They were invited to send a representative to the Court of France. They thought this a needless ceremony—all questions must now abide the issues of war.

In the distribution of the forces, Britain was to provide 40,000 men in the meantime, and prospective reinforcements—these were to serve against France. There was a separate vote for troops to be sent to Portugal, and 40,000 men were voted for the navy. The Empire—that is to say, the combined German States—engaged to furnish 120,000 men.¹

Brandenburg, now merging into Prussia, was in a peculiar position. The elector was endeavouring, according to the old expression, to "close his crown" or become a king. Before the Reformation the See of Rome arrogated the function of distinguishing the

¹ These were partitioned according to sovereignties:—

	Horse.	Foot.
The circle of the Rhine, . . .	1,800	8,121
" " of Upper Saxony, . . .	3,963	8,121
" " of Austria, . . .	7,563	16,521
" " of Burgundy, . . .	3,963	8,121
" " of Franconia, . . .	2,940	5,703
" " of Bavaria, . . .	2,400	4,479
" " of Swabia, . . .	3,963	8,121
" " of the Upper Rhine, . . .	1,473	8,559
" " of Westphalia, . . .	3,963	8,121
" " of Lower Saxony, . . .	3,963	8,121
	<hr/> 35,991	<hr/> 83,988
	119,979	

—Annals, i. 120.

So it was adjusted by the Imperial Diet; but in all German affairs of the kind there is the action and reaction of the collective empire and the several "circles" to be estimated. Bavaria of course contributed nothing to this contingent, and sent to the French side a far larger force than the Diet claimed for the Empire. The Imperial contingent is usually estimated in round numbers at 100,000.

potentates who were kings from those who were not, by the ceremonial of anointing at the coronation and making an anointed king. The house of Brandenburg was Protestant, and could not claim this sanction, whatever other it might seek. The power of settling such questions of dignity was claimed by the Empire and the Diet; but practically it came to be gradually adjusted by the pressure of diplomacy, furthered by something like general acclamation. Elector Frederick had set the crown on his own head in the church of Königsburg, but it remained to be seen what that bold assumption was worth. It was certain that without a heavy bribe France, and the Powers influenced by France, would not acknowledge the transaction. Frederick could perhaps remember how, some twenty-four years earlier, in the days of his father the Great Elector, the ambassador of King Louis, by special instruction, refused to meet in conference the ambassador of that elector. The Grand Monarque would not concede that the Kur-Fürsten or electors were entitled to commission ambassadors. They were themselves scarcely the equals of the *haute noblesse* of France who would have to meet their servants. If the elector had anything to say to the King of France, let him attend at Court with the other suitors. This came from no reckless impulse of haughty insolence. It rested on a deep and dangerous policy, pointing to the acquisition of territory. If the electors had no sovereignties, they had no place in European diplomacy, and might be the more easily pillaged. In the intricate feudalities that still infested the political organisation of Europe, the acute French lawyers found for their master seign-

orial rights touching the territories or the titles of dignity enjoyed by the electors. Whatever feudal prerogative the house of Bourbon claimed must be supreme. To claim sovereignty in competition with the crown of France was rank mutiny; and from the elector who afforded an excuse for charging him with this feudal crime, King Louis might take whatever he felt he had the power to take. Hence he was sometimes a more dangerous neighbour in time of peace than in time of war.¹

It was in this way that France got possession of the greater portion of those territories in Alsace and Lorraine which have now been gained back to Germany, and acknowledge the supreme authority of the descendant of Prince Frederick. It might be long ere the disintegrating process could reach the banks of the Spree: but the pleasant territory of Cleve was near; the Barrier Forts, all in the hands of France, were at hand; and had Nymeguen been taken, the road would have been cleared for the acquisition of a territory that would have given France, following on the acquisition of Strasburg, a second hold on the Rhine.²

¹ "En voyant cette puissance qui s'étendait ainsi de tous côtés, et qui acquerrait pendant la paix, plus que dix rois prédécesseurs de Louis XIV. n'avaient acquis par leurs guerres, les alarmes de l'Europe recommencèrent."—Voltaire, *Siècle de Louis XIV.*, ch. 14.

² The rapid extension during the seventeenth century of the territories ruled by the house of Valois seems to have excited among the French, traditions of something like universal empire. The more they gained, the more they professed to have lost of what had in ancient times been theirs. To the Germans, Kaiser Karl was a shadowy tradition not easily appropriated; but the French domesticated the Carolus Magnus of the Chronicles into their own Charlemagne, whose throne was in Lutetia—now known as Paris—whence he ruled all the civilised world. Any one who has a curiosity about the literature of these tra-

Considerations as to these sources of danger to the smaller States on the one hand, and on the other the practicability of embodying a force sufficient for their protection, and possibly for the punishment of the great aggressor, were engrossing the thoughts of European statesmen, when the Elector of Brandenburg challenged them to commit themselves by acknowledging him as king. If there were difficulties with others, Marlborough, who wanted the troops and influence of the claimant of monarchy, had no hesitation how to act. Hence the new king's eyes were gladdened by a letter addressed to him with the august title of "Sire," by one who was "*de sa Majesté le très-humble et très-obeissant serviteur.*"¹

This prompt cordiality secured to the cause a firm

ditions may gratify it by reading a volume of 789 pages, with the title, "*La Recherche des droicts du Roy et de la couronne de France, sur les Royaumes, Duchez, Comtez, Villes, et Pays occupez par les Princes estrangers appartenans aux Rois tres-chrestiens, par conquestes, successions, achapts, donations, et autres titres legitimes. Ensemble de leurs droicts sur l'Empire, et des debuoirs et hommages deus a leur couronne par divers princes estrangers.*" Par M. Jacques de Cassan, Conseiller du Roy et son Premier Advocat au Siege Presidial de Beziers." Much of the lore brought to light by M. Cassan will create only astonishment and ridicule in the present day; but the book went through several editions, and excited much bitter controversy, chiefly between Frenchmen and Germans.

¹ Such is the first morsel in the extremely valuable contribution to historical literature called 'The Letters and Dispatches of John Churchill, Duke of Marlborough, from 1702 to 1712, edited by General the Right Honourable Sir George Murray'—in five volumes: 1847. With many other pleasant things the writer says: "*Je suis très persuadé qu'il n'y a aucun moyen dont je puisse me servir avec plus de succès pour faire ma cour auprès de la Reine ma maitresse, qu'en cherchant des occasions d'affermir et de cultiver l'amitié entre elle et votre Majesté pour le bien de la cause commune; je prie votre Majesté aussi très-humblement de vouloir bien croire qu'il n'y a personne qui soit avec plus d'attachement et de dévotion. Sire, de votre Majesté le très-humble et très-obeissant serviteur.*"

and powerful friend. Next to the Imperial Diet the vote of England on such a claim as his was the most powerful of sanctions, and it came from a sovereign who wanted no man's land, and would not seize the first opportunity for quarrel and aggression. King William saw the reflection of his own wisdom in the hapless fate of his brother Kur-Fürst of Bavaria. The Prussian contingent to the army of the allies was to commence with 5000 men, and it expanded by degrees to 20,000.

It became a momentous question of Home policy how Britain was to provide the great force she had promised to her allies. The old feudal institutions, merged into the commission of array, and the militia, provided no resources to meet such a drain; and, in fact, the forces so embodied could only be employed in defence of the kingdom. The country was prosperous and work was abundant. That prosperity called loud for protection from the hostile Power that was to close the avenues of trade, but it enhanced the price at which the services of the soldier could be bought. The country would neither submit to a general conscription nor to the kidnapping feats by which despotic Powers supplemented the supplies of the conscription. Such practices were criminal in the eye of the law, and there was no power in England above the law to sanction them. And yet there were many thousands of men who were a burden and a scandal to the community rather than a benefit. These, though bad citizens, were the stuff that the best soldiers in the ranks are made of. The question was, how to get possession of them in proper form of law.

In King William's wars, those who set themselves to the task of recruiting the army had been wont to search out the victims of society who were so miserable that foreign service might improve, and could not deteriorate, their condition. The arbitrary laws for the recovery of debt gave to the creditor a power over his debtor vying with, and often far exceeding, the inflictive power possessed by a despotic Government. Early in the statute-book of Queen Anne's reign there is "An Act for the discharge out of prison of such insolvent debtors as shall serve, or procure a person to serve, in her Majesty's fleet or army."¹ All projects of the kind required in England to be carefully provided with sufficient powers to break through the technical trammels of the common law. A previous Act, for certain reasons, "did not answer the intent for which it was made: wherefore to supply the defects which did obstruct the good ends and purposes of the said Act, be it enacted," &c. So separating from other prisoners the mere pecuniary debtors, to whose relief the Act is limited, it drew out any debtor so poor as to be unable to maintain himself in prison without being burdensome to relations or the parish. The creditor could only resist the liberation and enlistment by providing a maintenance "not exceeding fourpence per day, which shall be paid to the prisoner himself, and not to the jailer, keeper, or any other person for him."² There is, in this simple clause, a sad significance; for the tyranny let loose by the law of debtor and creditor was seized and held fast by a machinery of rapacious and cruel "vested interests." Among these were the officers of the law,

¹ 2 & 3 Anne, c. 16.

² 2 & 3 Anne, c. 16.

and the jailers or keepers of the prisons; and subsequent inquiries showed that people were buried in loathsome dungeons for years after the just claims of creditors had been discharged—were detained in prison, in fact, so long as there was any chance that affection or humanity could extract money from any relation or friend of the sufferer. It was in further protection against this class of harpies that "all persons discharged by virtue of this Act are and shall be freed and discharged from all chamber-rent and other fees to jailers and their respective officers, and all securities given by such poor prisoners, or others bound with them, to any jailers, or to any other person in trust for them, are hereby discharged and made void." The recruiting officer having thus been admitted within the prison-gate, it was thought that the emergency might justify an enlargement of his privilege of selection among the inmates of that gloomy home. Why not give the recruiting officer the run of its criminal inmates? They were the curse and terror of the country at home—let their powers of destructiveness be turned upon the enemy. It is the calamity of themselves, and of all who have concern with them, that they cannot govern their wild natures: put them in the hands of the drill-sergeant—he will bring them into order, and the power of military discipline will keep them in it. Sometimes, at that period, the poor gentleman had to become a common soldier; and it was felt that an admixture of the felon class, however small, must blot a profession that, down to the humblest in its ranks, ought to be inspired by a sense of honour. But the emergency was imperative; and it must be

granted that there was more reluctance in Queen Anne's reign than even a century later to admit this element within the British army.¹

Here again we are admitted into some secrets, and find how the cumbrous apparatus raised by common law and statute law for the protection of the subject from arbitrary power may give opportunity for cruelties and tyrannies, such as the agents of arbitrary power might be ashamed to inflict. The letter of the law dictated penalties and punishments which the administrators of the law dared not, in the face of humanity and justice, inflict. Some "fiction of law," or other subtle subterfuge, was found to save appearances—as in the long notorious practice of pleading "benefit of clergy" where sentence of death was recorded. But these complex devices gave power and opportunity to cunning, unscrupulous men; and all outlets in the direction of mercy and justice were blocked by operations which inferred official services, and for the official services fees, which in process of time, became "vested interests."

It required, as we have seen, an Act of Parliament to take debtors out of the hands of the creditors, their lawful owners; but the prerogative of mercy was sufficient to put the criminal at the disposal of

¹ "The exact number of this class admitted during the Peninsular war is not easily traceable. Three regiments—one of military distinction—were then formed, and others were recruited. A return of the number of these regiments was moved for in 1812; but the motion was opposed by the Ministers and negatived by the House of Commons. During the Crimean war a suggestion was made by an experienced member of the House of Commons, that some of the labour of the siege should be borne by convicts under enlistment; but circumstances had so changed that it was not entertained."—*The Military Forces of the Crown: their Administration and Government*, by Charles M. Clode, ii. 14.

the military force by attaching the condition of service to the pardon. Yet a clause in the first Mutiny Act of Queen Anne's reign lucidly explains the nature of impeding interests which the Crown could not sweep away. "Whereas several persons convicted or attainted of capital felonies and offences are thought fit to be reprieved from execution in order to obtain their pardon upon condition of being transported beyond seas, or as persons fit to serve her Majesty in her army or navy, and oftentimes lie in prison for a long time in expectation of the passing such pardon under the Great Seal, and the pleading and allowing thereof in due form of law, to the great charge and burden of the county where they have been so convicted."¹

There still remained in the regions of social degradation a richer stratum of material for drill than even the debtor or the criminal. There was that terrible and abundant monster the vagrant, gregariously assailed in numberless statutes as "idle and disorderly persons, rogues and vagabonds, incorrigible rogues," and the like. It seems an anomaly that the most industrious country in the world should ever be wailing over the idleness so deeply rooted in its social conditions. But the vagrant classes were a necessary secondary effect of industry, growing upon its primary effect—the increase of wealth. Every community will have a percentage of the idle and the worthless within it; and the temptations afforded by the wealth and luxury of England were so seductively attractive to those who live on other people's wealth, that, as her own people did not supply suffi-

¹ 1 Anne, c. 16, s. 43.

cient numbers to prey on the available riches, they were recruited by bands of dusky strangers who crossed all Europe to reach the happy hunting-ground.

The warfare between these subtle pests and the clumsy statute and common law was ceaseless and brutalising; for the exasperated citizen of respectability and substance was provoked beyond endurance, and would stick at no cruelty if it would rid him of the nuisance. Yet all must be done according to law; there must be no arbitrary despotism under the name of a paternal Government, ruling society by an administrative police. Hence the mighty load of vagrancy statute-law. It was, in a great measure, a contest with an invisible enemy; for the fundamental crime of the vagrant was idleness: and how could a man be punished for the act of doing nothing? Then came into existence the almost illogical offence of "an act of vagrancy." It had some substantiality in it when it dealt with "every person pretending or professing to tell fortunes, or using any subtle craft, means, or device, by palmistry or otherwise, to deceive and impose." But when it came to "loitering" for questionable purposes, to sleeping in the open air, to not "giving a good account" of one's self, or to "having no visible means of subsistence," it was felt that the criminal law was treading upon precarious ground. It was after the war had begun, and, as it were, with decorous reluctance, that it was determined to make a conscript of the vagrant; and certain justices of the peace were empowered "to raise and levy such able-bodied men as have not any lawful calling or employment,

or visible means for their maintenance and livelihood, to serve as soldiers."¹ The inducements for gathering in this fresh harvest, of course gave new activity to the recruiting department; but the law was careful to guard against the actual enforcement of the Act falling into military hands. The regular officers of the army were excluded from acting as justices for the enrolment, and the Mutiny Act and Articles of War were to be read over to the recruit before he was sworn and enrolled.²

It has been remarked that great fires or other destructive calamities in cities have the Asmodeus faculty of revealing domestic interiors, and exposing social conditions unsuspected and astounding. In some respects the sudden call upon the country to provide for a great war has a like effect, through the invasion of households, the ruthless inquiries into the resources of the citizen, and the demand for the ser-

¹ 2 & 3 Anne, c. 19; and see Clode, *Military Forces of the Crown*.

² We may count the following as a lively caricature of possible abuses in the working of this arrangement:—

Scale. Here, you, constable—the next. Set up that black-faced fellow; he has a gunpowder look. What can you say against this man, constable?

Const. Nothing but that he is a very honest man.

Balance. What are you, friend?

Nut. A collier. I work in the coal-pits.

Scruple. Lookee, gentlemen, this fellow has a trade; and the Act of Parliament here expresses that we are to impress no man that has any visible means of a livelihood.

Kite. May it please your worships, this man has no visible means of a livelihood; for he works underground.

Plume. Well said, Kite; besides, the army wants miners.

Balance. Right; and had we an order of Government for't, we could raise you in this and the neighbouring county of Stafford five hundred colliers that would run you underground like moles, and do more service in a siege than all the miners in the army."—*The Recruiting Officer*, by George Farquhar, Act v.

vices of all the men of health and sinew that can be spared. There happened to be in the midst of all the hurry and confusion a looker-on endowed with acute observation, brilliant wit, and a lively sense of the ludicrous. It was in the year 1705 that George Farquhar gave the world his play of 'The Recruiting Officer,' and left a legacy of riotous mirth to generations of his countrymen. "Sergeant Kite" was no absolute creation of the imagination, but a realisation of a figure too well known from that day to this as a minister of good and evil, the causer of certain joys and exaltations, but of a much larger fund of sorrows—the typical "recruiting sergeant." He is unscrupulous and genial, "a fellow of infinite humour." He is a mighty orator of the pot-house order—a great historian of brilliant and successful ideal warriors. His own potency and heroism are exemplified in the mightiness of his potations; for he is gifted with almost superhuman powers, for drawing forth all strengthening, rousing, and exhilarating influences from his liquor, without permitting it to steal away his brains.¹

¹ The felicity of Farquhar's characters is not in invention, but in the slight touch of exaggeration that converts a rather questionable reality into a picturesquely monstrous iniquity. We have seen one specimen of his manner; here is another, arising out of the birth of an infant whose entry into the world is embarrassing to the recruiting department:—

Plume. Kite, you must father the child.

Kite. And so her friends will oblige me to marry the mother?

Plume. If they should, we'll take her with us. She can wash, you know, and make a bed upon occasion.

Plume. Kite, is the child a boy or a girl?

Kite. A chopping boy.

Plume. Then set the mother down in your list, and the boy in mine.

If in such and other shapes the recruiting organisation of Britain was tainted with scandals freely exposed by an open press, we may safely believe that there were deeper blots in the shape of injustices and cruelties in the machinations by which those who were to be our allies raised their forces. If in some measure the traps and subterfuges of the recruiting ser-

Enter him a granadier by the name of Francis Kite absent upon furlow. I'll allow you a man's pay for his subsistence," &c.

If such an incident never occurred, the practice of the day made it possible. The army estimates and accounts were adjusted to the cost of supporting certain rank and file, and when there was some call for emergency or humanity, it was met by a fictitious rating on the actual force—as, for instance:

"WHITEHALL, September 28, 1711.

"Her Majesty having been pleased to grant Titton Minshull, a child, a commission of ensign in Brigadier Stanwix's Regiment of Foot, in order for the support of his mother and family, in consequence of the loss of his father and uncle, who died in the service; and has likewise given him a furlough to be absent from his duty until further order."—Clode: Military Forces, i. 610.

Three years after the beginning of the war, an attempt was made to check abuses naturally following on this clumsy arrangement. By a Royal Order, "Her Majesty, finding it very prejudicial to the service to have commissions given to children and others unfit to do duty with their regiments, is pleased to declare that for the future no person who is not of age sufficient to serve shall be admitted into any of her Majesty's troops, except the children of officers who have been slain or suffered extremely in the service, in which case the merits of the father may make it reasonable to show that mark of royal favour to the son." There are to be but two such commissions for each regiment, and when a regiment is ordered on foreign service its boys are to exchange with adult officers in other regiments. This practice had so tenacious an existence that old people of the present day remember it as exemplified by stories about colonels in nurseries. In the book where the document cited in this note is to be found, it is said, "That this system was known to, if not approved by, Parliament, is endorsed by the 1st and 2d rules relating to half-pay, enacted 4 Geo. I. c. 5, sect. 18, and it continued in practice until the late Duke of York assumed the command of the army, when not only did he refuse to make such appointments, but superseded many officers who were children or boys at school."—Clode: Military Forces, ii. 91.

vice were demoralising to the embodied force, we may believe that both in physical and moral condition they were far above the companions they were to meet in Flanders and Germany. In fact, the conditions that went to make recruiting difficult in the British empire—and especially in England—enhanced the value of British troops when they could be got. The country was flourishing. Work was abundant and well paid; and the soldiers who could be by any means, fair or foul, drawn forth from such a community, were capable of great exertion and the long endurance of fatigue. With such an army in his hands—with his kinsman Godolphin at the helm of the Treasury, amply supplying all its needs and punctually paying the subsidies to allies needy and greedy—Marlborough went forth with the materials in his hand for guiding and commanding the greatest game that had been played in Europe since the days of Charlemagne.

And he was the man made for the occasion. The commander of an army, if he be a thorough soldier, has great weight in the council as well as in the field; but it is generally the weight of his sword, the necessity of keeping him in the spirit and humour to do his field duty effectually; and to secure this, many a point is yielded to the abrupt, surly soldier who knows nothing but command and obedience. But Marlborough was as supreme at the calm council-table as in the storm of battle. Dealing with his many-ranked illustrious groups of monarchs, lesser royalties, and august statesmen, he exemplified on a grand scale what it falls to common people's lot often to see exemplified on a little scale. This is, when in

some select vestry or sub-committee of councilmen, the one clever man of the little cluster appears to hear every one, to agree with every one, and in the end, with the unanimous consent and common applause of all, transacts the business on hand precisely in his own way.

Unlike most men of great firmness and self-reliance, Marlborough courted counsel and discussion. He could conduct it with absolute calmness and courtesy. On his own clear views of what was to be done it had no effect, but it gained him coadjutors; for he was, like Wolsey, fair-spoken and persuasive. His patience was inexhaustible. He was cautious, but his caution had its corrective in an unmatched promptitude of vision. He thus never committed a rash act, and he never missed an opportunity for striking an effective blow. His fertility in resources made him less amenable to disappointment when his favourite scheme was thwarted, than men of smaller resources, whose mind contains but one scheme at a time, and that being forbidden, are destitute of other resource, and helpless. To him, if one way were closed there was ever another opening. He felt secure in himself,—be the conditions that were to be wrought with what they might, he would bring out of them results which no other man could effect.

It would be difficult to name another man whose communications ranged through so many strata of social grade as his. They passed through the whole world of Europe, from the emperor, who was still by courtesy the chief of kings, through various grades of royalty into still more numerous grades of nobility,

till they reached the riff-raff brought out of the dregs of the various nations by the recruiter or the crimp. Having had the arduous duty of thus addressing men far above himself in rank, and of addressing in remonstrance, in rebuke, sometimes in menace, he knew and practised the maxim that a strict observance of etiquette in communication with superiors is the way to save the inferior man's self-respect and true position from invasion by the higher power. The sovereign is addressed with the simple and emphatic "Sire." For Serene Highnesses and Electoral Highnesses there is the Monseigneur. The great partner in his glories, Prince Eugene, being a prince by courtesy only, and neither a sovereign nor the son of a sovereign, is "Monsieur" simply, but the courtesy of the conclusion is "*de votre Altesse le très-humble et très-obeissant servateur.*" With none is he more punctilious than with their "High Mightinesses" the States-General. In his long lectures to them he brings in at stated intervals the "*Hauts et Puissants Seigneurs;*" with these words he must have filled a surface equal to some quires of paper, for he was the most diligent and minute of correspondents.

It would not be easy to determine whether Marlborough was acquainted with either High or Low Dutch. These languages might have been of occasional use to him, but they were a small matter to one who was master of the language of diplomacy. It would not suffice to say that he spoke and wrote French like a native. He wielded it with the subtle completeness of polish only to be attained by those natives whose felicity it was to cluster round the re-

ception-chambers of Versailles.¹ It was in the reign of Louis XIV. that the language of his Court finally established a claim to be the language of diplomacy for Europe, superseding alike the Latin common to all, and the exchange between communities of articles in which each spoke in its own vernacular. It is not easy to dispute the charge of those who maintain that Marlborough was not master of English, and spelt it badly; for it was then for conversational purposes imperfectly developed, and the spelling in the correspondence of all classes was eclectic. But Marlborough's skill in the language of diplomacy was so complete as to be one of the great powers at his command for political purposes.

When the various parties to the alliance, their contingencies, and subsidies, had all been settled, there remained the most difficult problem of all—the command of the united force. There was the difficulty, as we have seen, that if a royal personage were available, he must naturally take the command in virtue of his rank; and there was at hand Prince George of Denmark, the queen's husband. It was believed that what really settled his exclusion was the consciousness in those who were most punctilious on the question of etiquette, that if there were anything more than nominal in his rank, he might expose his incapacity. Then there were other royalties available, if rank were to decide the momentous question. There was the Archduke

¹ It is perhaps right to say that Marlborough's command of the French language is not undisputed. In a thick quarto volume, called '*Protestant Exiles from France,*' by the Rev. David C. A. Agnew, he comes forth as a thorough blockhead in this as in other shapes.

Charles, conspicuous in our story as "the King of Spain." There was the Elector of Hanover and the Duke of Zell. Greater than all was the newly-created King of Prussia. The Dutch, to whom the question of the command was an affair of life and death, kept their eye steadily on the commander of the English force, as the man fittest for the supremacy; and when it came to the question whether they would serve under Marlborough, they decided that they would. They made it a condition, however, that they should be represented by "field deputies" in attendance on the army, who should be entitled to withhold the troops of the States-General from any particular service. Here was a body of civilians who had to be consulted on great military operations. The deputies did interfere, as we shall see; and there is little doubt that they baffled more than one brilliant project. Before the French army required the co-operation of the Bavarians, there were many invidious comparisons between the army of one language and one discipline, united by a common enthusiasm, inspired by victory after victory and conquest after conquest, on the one side, and, on the other, an ill-assorted gathering of men speaking all European tongues, under a commander who, if he should even frame some great project in which his unconformable masses might be directed by a common movement, was liable to see it tripped up by a conclave of merchants and money-lenders.

But there is much to be said in vindication of the Dutch statesmen, who have come down to us well abused for timidity, presumption, obstinacy, and the like. For them the enemy was at the gate, and every-

thing in the world at stake on the great issues. Then even the brilliant genius of the man set over them was some apology for hesitation. Marlborough's projects went far beyond the comprehension of the greatest commanders of his day, and naturally they were still further beyond the comprehension of the field deputies. There was, for this, compensation in the very boldness and versatility of his genius, since no commander, when baffled in one project, could so readily find another.

The British and Dutch being thus at one as to the command in chief, made a centre to which the other forces acting in the north of Europe required to gravitate, not merely for co-operation in the general undertaking, but for safety. Marlborough's dealing with the petty sovereignties owning these outlying contingents remains as a brilliant specimen of the firm and the conciliatory in the management of men. He is invariably courteous. Tendering advice or even objection is a favour. If he has to press hard, his tone is supplicatory rather than imperious, and there are no bounds to the merit and the distinction he is prepared to concede to those who will give their invaluable co-operation to his next great project.¹ Under all, too, it is generally made evident to the potentate so appealed to that co-operation in

¹ Frederick of Prussia, who had to thank Marlborough for the prompt acknowledgment of his sovereignty, had presently to hear "de l'entière satisfaction et plaisir que la reine ma maîtresse a eu en apprenant le zèle et l'empressement avec lequel votre Majesté épousait les intérêts de la cause commune, non seulement en augmentant le nombre de ses troupes dans l'Empire, mais aussi par ses négociations particulières avec M. l'Electeur de Bavière, dans lesquelles, si elle pouvait réussir, elle éterniserait son nom et mériterait avec justice le glorieux titre De Libérateur de l'Empire."—Marlb. Despatches, i. 235.

the project, audacious though it may appear, is the safer policy.

Nymeguen, but a short time ago abiding in desertion and danger, with a few despairing but brave burghesses endeavouring to drag some old cannon to the dismantled barriers, was now equipped with everything, both in material and men, that a great fortress should have in time of war. Around it, on both sides of the Waal, lay the gathering-ground of an army so great that it could not well disperse without leaving its mark in the recasting of the map of Europe. All the tribes and languages of Europe were there represented. Predominant were the languages of the great Northern States, High and Low Dutch, and English. There were other varieties of the Teutonic group of tongues—Danish, Norwegian, Swedish, and Lowland Scots. There were Croats, Bohemians, and Hungarians from the Empire, and Celts from Scotland, Ireland, and Biscay. There was a sprinkling of Italian and Spanish—nay, even of French from the Netherlands and the western slopes of the Alps.

The district was well fitted for the organising of the army. With access to all the world, and close to abundant supplies, it had stretches of waste ground where troops could encamp and march without injury to inhabitants and property. Northward and westward were the richest provinces of the States; but on the other side, the waste, beginning with a few gentle undulations, spread itself into a vast arid plain for miles, bounded only by the horizon—perfectly flat, and perfectly fruitless but for a thin covering of short heather. The river Maas, co-operating with

this waste district, made a strong frontier, and a virtually neutral ground between the Dutch and Prussian States. The waste, a hard dry cake of drift, has no fructifying organic elements save what have been laid down upon it by the hand of man; and even the industrious Dutch have not been tempted to convert this desert into a smiling garden.

This district, where the High and Low Dutch met each other, was a common centre and radiating-point whence both the water-transit and the great roads of Western Europe radiated. Nymeguen is, as we have seen, washed by the Waal, carrying the bulk of the waters of the Rhine into the sea, and opening the way to all its upper regions. Successive tributary streams on the right bank—the Lippe, the Lenne, the Lahn, the Nahe, the Main, the Neckar—gave openings into Central Germany. More momentous, however, and more suggestive to the presiding genius over all, were the Moselle and the Saar, penetrating to the heart of France. Another river—the Maas or the Meuse—less an affluent of the Rhine than a river discharging itself through the same channel into the ocean, had water-communication with Nymeguen through the Waal, and was, as we shall find, the companion of the army in many of its earlier operations.

Where these abundant water-tracks were not navigable by sailing-vessels, their banks generally afforded towing-paths for horses. The waters reaching the sea in flat Holland, descend from vast regions of mountain-ground; but, the prevailing character of their banks is the perfectly flat, hard plain, formed by the diluvial deposits of the river, supplied from mountain-chains. These plains afforded at that

period not only towing-paths, but the best roads in Western Europe. Their flatness and dryness made admirable ground for the marching of troops. This was a quality often not so valuable to the inhabitant of the district as to the unwelcome stranger. Hence came another feature in the world spread around the new army—the abundance and vastness of the fortresses laid down here and there on the borders of the rivers. Some of these were, of necessity, on the diluvial plain; but others, like the citadel and Charreux at Liege, and Ehrenbreitstein on the Rhine, were on heights. The diluvial plain on the margin of the stream was generally bounded by a chain of hills; and when, as it sometimes was found, a spur or branch of such a chain crossed the plain and dipped into the water, opportunities came for playing critical games in tactic and strategy.

The war had already begun in some small affairs. The greatest of these was the siege by a German detachment of Kaiserswerth, a small fortified town on the Rhine, some four miles further down than Dusseldorf, and on the opposite or right bank of that river. It belonged to the Elector of Cologne, who, as an ally of France, had given it over to a French garrison. On the 15th of June 1702, Kaiserswerth surrendered, and Marlborough drew the 8000 Germans from the siege to his army at Nymeguen, where they arrived on the 6th of July. There were now in all 60,000 men under the command of Marlborough, and the momentous question arose how they were to be employed. Councils of war were held, with little more definite object, as it would appear, than to enable the commander fully to understand

the men whom he must co-operate with while he controlled them. The enemy were some eight miles to the eastward, strongly posted between Gennep and Goch, on the small river Niers, an affluent of the Maas. By opening sluices of reserved waters they made their position still stronger than it was by nature, and they had three bridges enabling them to cross to the country westward of the Maas, if that were necessary. It would have only been in harmony with the later years of his career had Marlborough instantly attacked them where they stood; but in the words of his secretary, he "would gladly venture a battle with the French if they were to be come at on reasonable terms, but it would be too great a hazard to attack them as they are now posted."¹ Then it would be a vain hope to expect the consent of the Dutch deputies to a hazard that might bring a victorious enemy again before their gate.²

The final resolution was to invest and take the fortified towns on the Maas, one after the other,—let Boufflers, the French commander, if he thought fit, come forth and fight a battle in their defence. But Marlborough had even here to feel the difficulties of a chief who has several subordinates in command,

¹ Despatches, i. 7.

² "I am ashamed to write from this camp, for we ought to have marched from hence three or four days ago," Marlborough says to Godolphin, dating on the 13th of July from Duckenburg, about five miles southward of Nymeguen; "but the fears the Dutch had for Nymeguen and the Rhine, created such difficulties when we were to take a resolution, that we were forced to send to the Hague; and the States would not come to any resolution, but have made it more difficult by leaving it to the general officers, at the same time, recommending in the first place the safety of the Rhine and Nymeguen."—Coxe, i. 171.

each at the head of a body of his own countrymen. The difficulty in this instance was with the Elector of Hanover—that ally who, as the adopted heir of the British throne, lay under the weightiest obligations to fight heartily in the great contest. Nor was it assuring that the difficulty arose not from any reluctance at the Electoral Court, but from pedantic scruples of military etiquette. As this was the first occasion when Marlborough had to make it felt as well as known that he was a commander-in-chief, he addressed Bothmar, the Hanoverian agent or ambassador, with a touch of courteous decision, productive of immediate remedy.¹

When the Hanoverian and Prussian contingents joined him he felt himself in sufficient force for all contingencies, and on the 26th of July he crossed the Maas.

It was his determination to begin the contest with the siege of Venlo, the strongest of the line of fortified towns on the Maas. In crossing that river, however, he had gone away both from Venlo and the enemy. They were both on the north side of the river, and

¹ This is a fair specimen of Marlborough's style when, deeply in earnest, he lets the earnestness be visible through the polish of his politeness: "M. le Lieutenant-Général Somerfeldt viens d'arriver, et m'a extrêmement surpris et même mortifié en m'apprenant qu'il ne pouvait agir avec ses troupes sans vos ordres, ce qui est de telle conséquence que si je pouvais me dispenser d'ici je serais parti dès cette nuit pour la Haye, afin de vous prier de les dépêcher sans le moindre retardement. Vous savez, monsieur, combien cela importe à la cause commune ou nous sommes tous engagés, et à laquelle je sais que vous êtes en particulier si bien intentionné. C'est pourquoi j'ose vous conjurer, monsieur, de ne perdre pas un moment de temps à nous renvoyer le courrier avec les ordres nécessaires pour la marche de vos troupes; cela est d'autant plus pressant que nous faisons état de marcher avec l'armée dimanche prochain. J'attendrai le retour du courrier avec la dernière impatience, et serai toujours très-sincèrement," &c.—Despatches, i. 5, 6.

he marched in the opposite direction towards Hamont. It was the policy of Marlborough that when he went to Venlo he should not find it in the centre of the French army, so as to fight an enemy in a strongly fortified camp. It was, on the other hand, the necessary policy of the French commander to hang about Marlborough's army, and be at hand wherever it should strike a blow. It was now marching southwards towards the richest and least fortified districts of the Spanish Netherlands, and Boufflers must follow; hence he too had to cross the Maas.¹ If he could be drawn far enough southward, Marlborough was to get between him and the Maas. In these shiftings both had to cross the great flat heath of Dutch Brabant, an excellent battle-ground for those who desired to fight; and Marlborough remarked, "If they would venture anything this summer it ought to be this day; for our work is upon an open heath, and we are weaker by sixteen regiments of foot than we shall be three days hence."² The expected addition to the army duly arrived; and he felt all the assurance of one who, having practically tested the sufficiency of his force for keeping off his enemy, finds it becoming in his hands stronger than ever. He had the satisfaction to see a long and not very well protected train of his baggage-waggons pass unmolested before the eye of the enemy.

The letters passing between King Louis on the one side, and his commanders Boufflers and Catinat, are preserved, and they are found to be historically in-

¹ "S'ils eussent voulu, ils n'avaient qu'à quitter leurs entreprises sur la Gueldre, et marcher droit à Bruxelles, Louvain, et Malines—en un mot, prendre tout le Brabant."—Mém. du Maréchal de Berwick, i. 195.

² To Godolphin.—Coxe, i. 175.

structive on the Grand Monarch's method of warfare. His grandson, the Duke of Burgundy, then twenty years old, is on the spot, and is nominally the commander-in-chief of all the forces. But the king himself is the real commander, giving not only opinions and criticisms, but instructions. It was true that Marlborough had never commanded an army, but he was known to be endowed with a high military genius, and his coming, as the realisation of the fact that the resources of Britain were thrown into the contest, awakened the French generals to the heavy responsibilities of a critical war. They were cautious and defensive; but their master, habituated to unfailing success, was impatient and imperious. Landau is doomed unless speedy and ample relief be sent. But Catinat mumbles his difficulties about supplying the relief, impressed with the feeling that so doing he may fatally weaken the army. The loss of Landau is to be lamented, but the defeat of the army commanded by the Royal Duke would be a more terrible calamity.

The troubled generals endeavour to find a propitious refuge in bursts of eloquence—in the wondrous warlike genius budding and blooming in the young prince intrusted to their care—and are dryly reminded that it is not in harmony with the glory of that prince that he should be the commander of an unsuccessful force.¹ It was altogether a hard lot for

¹ "Il ne conviendrait pas à la dignité du Duc de Bourgogne, qui partira mardi prochain pour aller commander son armée, de se trouver à la tête d'un corps qui serait trop faible pour rien entreprendre ou pour tenir contre celle de mes ennemis."—*Mémoires Militaires*, ii. 16.

Here is a passage selected for its brevity from the reports of Boufflers to the king: "Ce qui ne se peut assez louer et admirer, c'est l'extrême

Catinat, with Marlborough silently strengthening himself, dead to all efforts by irritation, or teasing, as soldiers sometimes call it, into premature action, and watchfully abiding the time when his opportunity would come.

It was a contingency of the glory the commanders were bound to derive from the presence of the prince, that the effective fighting march that supplied a garrison to Nymeguen was represented as a disastrous flight before a conquering host, commanded by the king's grandson. The temptation to give the affair this tenor was great, and it could be effected without any false statement, and by the ingenious use of expletives.¹

désir que Monseigneur le Duc de Bourgogne a fait paraître de voir, d'agir, et se porter partout : la sagesse et le sangfroid, l'air libre et naturel qu'il conserve, sa gaiété, sa hardiesse, son coup-d'œil et son bon esprit : en un mot, il met au jour toutes les bonnes qualités et vertus qui font un grand homme, qui peuvent faire assurer qu'il sera un jour très-grand et bon général et très-digne petit-fils de votre Majesté."—*Mémoires Militaires*, ii. 531, 532. King Louis did his part in the claim of military genius, as one of the divine rights of royalty. In ordering a *Te Deum* for the capture of Brisac, he tells the Archbishop of Paris—"Ce siège a été fait par mon petit-fils le Duc de Bourgogne, qui dans cette expédition a marqué toute la fermeté, l'intelligence et l'application, qu'on auroit pu désirer dans un Capitaine expérimenté."—*Lettres Historiques*, xxiv. 438.

¹ "Monseigneur le Duc de Bourgogne ordonna que l'on suivit l'armée ennemie avec un peu plus de vivacité, ce qui fut exécuté; en sorte qu'elle fut poussée et plusieurs troupes furent culbutées jusque sur les glacis de Nimègue, avec beaucoup d'audace et de valeur de la part des troupes de votre Majesté. . . . Je ne crois pas qu'il y ait d'exemple qu'une armée entière ait été poussée jusque sur la contrescarpe et les pallissades d'une place, et qu'il y ait été ensuite attaquée et harcelée de manière à être forcée de se jeter dans les chemins couverts et dans les fossés, ne pouvant plus tenir dehors contre le mousquetier et le canon de l'armée opposée."—Boufflers to Louis XIV., *Mém. Milit.*, ii. 530. Taken in this shape, there would be little in the arrival of the British force to give serious uneasiness to King Louis.

It seemed at one time that in spite of the field deputies, and all other obstructions, the two hosts must converge into a battle—there was actual cannonading and some sharp affairs between outposts. But the enemy broke up their camp and marched towards Beverloo, whether in retreat or because they thought protection urgent in that region. "I could not," says Marlborough on the occasion, "believe the French were so strong as we now know they are; for my Lord Carr, one of my aides-de-camp, was taken, so that he marched with them the day they retreated, and the Duke of Berwick showed him the whole army. He counted 72 battalions and 109 squadrons, but he says that our battalions are much stronger than theirs."¹ And now the Dutch field deputies were made uneasy by the too active character of their cautiousness. There were ominous murmurs among the troops, and a dangerous spirit, taking the anomalous shape of a mutinous feeling in favour of their great commander. It was the talk even in the enemy's camp that they were not an army free to strike—that they were there only to watch over the safety of the Dutch traders, not to fight battles. It was one redeeming effect of this spirit that the troops became ardent and impatient for action, just as the way to Venlo was opened.

On the 5th of September the investment of Venlo was completed, but heavy siege-guns had yet to be

¹ To Godolphin.—Coxe, i. 180. The Duke of Berwick, who, it will be remembered, was Marlborough's nephew, after showing for several tactical reasons that Boufflers could not safely make the attack, says,—*"Outre que les ennemis avoient vingt bataillons de plus que nous, et que chacun de leurs bataillons avoient au moins cent hommes de plus que les nôtres."*—Mém., i. 196.

waited for. The cuttings and embankments of the siege approaches were directed by Cohorn, the celebrated Dutch engineer. A veteran in the practice of the code of attack and defence invented by himself, the pedantic precision of his motions fretted Marlborough, whose inventive genius and ardent nature sought original and rapid operations. He seemed to feel that with the Dutch deputies, thus backed by Dutch science, there was a heavy impedimental burden in store for him; but Cohorn was near the close of his career. He hung but a few months on his active coadjutor, and died in 1704.

Venlo stood over against Nymeguen, as the chief fortress protecting the Spanish Netherlands from aggression on the side of Holland and Germany. Like Nymeguen, the old strength of the fortresses in which the town was nestled is attested at this day by the long stretches of grassy hillocks on both sides of the Maas. The town itself being on the north side of the Maas, the remains on the south side are those of the detached fort of St Michael. Here the fiery Lord Cutts was in command of the besieging party. He desired that the covered-way should, if possible, be cleared, to save the working-parties from assault, and hinted to those told off for the duty, that if the enemy seemed to retire readily they might try an assault. The troops, as impatient as their commander, jumped into the covered-way, ran with the garrison through it, and finding some planks laid for the convenience of the garrison across the moat, climbed up the counterscarp by the aid of long grass. It was an effectual surprise, and the garrison surrendered. The assailing party lost only 27 men in this

first achievement of the war.¹ The assailants now held a post whence they could cannonade the town. It happened that on the 23d of September news came of the capitulation of Landau, besieged by the imperialists. This event called for a congratulatory discharge of great guns, and their roar so confounded the citizens as testimony to a furious cannonading, that they demanded a capitulation. The garrison had to yield, and were permitted to march forth with the honours of war through a breach made by the assailants.²

The fortified town of Roermond was the next to be attacked. It is some twenty miles further up the

¹ One of the assailing party thus describes the critical part of the affair: "The enemy gave us one scattering fire only, and away they ran. We jumped into the covered-way and ran after them. They made to a ravelin which covered the curtain of the fort, in which were a captain and sixty men. We, seeing them get into the ravelin, pursued them, got in with them, and soon put most of them to the sword. They that escaped us fled over a small wooden bridge, exposed to the fire of the great and small shot of the body of the fort. However, we got over the *fausse braye*, where we had nothing for it but to take the fort or die." The author notes two acts of carelessness on the part of the garrison combining to afford to the assailants their opportunity. The one was in those who retreated not carrying the loose planks with them, when "we would all have fallen into the moat, which was ten feet deep in water;" and again, "Had the governor kept the grass by which we climbed close mowed, as he ought to have done, what must have been our fate?"—Parker: *Military Transactions*, 84-87.

² Coxe, i. 185. We have from Lord Cutts this brief characteristic account of his own share in this success. It is addressed to Secretary Nottingham, who greedily welcomed every morsel of well-authenticated information from the theatre of the war:—

"My action at Fort St Michael I will say no more of than only that it was my own contrivance and execution, commanding that attack in chief. It was successful, and produced good and quick effects, by occasioning the speedy surrender of Venlo, and making way for farther successes; and it met with general approbation, for the world has made more noise of it than it deserves. I had the honour to command brave men; I had the fortune to take my measures right; and God blessed me with success."—Mus. Brit. Addl. MSS., 25, f. 383.

Maas than Venlo; and its defences being much narrower, Marlborough chafed at its being tolerated as an impediment, and he found when it was invested that "Mr Cohorn is more nice than wise. He is losing time there, as he did before Venlo, and will not begin till he has everything ready to a tittle, though half the preparations might do the business."¹ Roermond was, however, speedily taken, along with Stevensweert, a town less important but more heavily fortified. There were still a few fortresses on the lower Maas at the command of the enemy; but instead of wasting time on them, Marlborough bethought him of a bolder stroke, which, if successful, would bring every post in the lower Maas into his hands. He heard that Boufflers was marching eastward to cover and protect Liege, and resolved to be there before him. When Boufflers came within sight of his intended camping-ground, he saw Marlborough's besieging force there, and that he was just in sufficient time to save himself from destruction by retiring.

Though two great fortresses overhung Liege, owing to their height and distance the town below was considered as unfortified, and Marlborough's force was received by the citizens. The nearly complete circle of hills around Liege afforded strong ground for fortresses; but unless the whole was covered with works, it also afforded good positions for assailants. A cannonade was then opened on the citadel, and a practicable breach was beaten out of the body of the fort. By Marlborough's own account, "after the French were beaten out of the counterscarp, our men attacked the breach, and after a resistance of

¹ Coxe, i. 188.

half an hour they carried it. The governor was taken in the breach by an English lieutenant, which shows that the queen's subjects were the first upon the breach."¹ The other great hill-fort overlooking Liege, known as the Chartreuse, capitulated without standing an attack. So came the line of strong places on the Maas all into the hands of the allies. Maastricht, between Liege and Venlo, did not require to be taken. Under a stipulation in the treaty of Nymeguen it was occupied by a Dutch garrison, and was under a sort of hybrid government by the States-General and the Episcopate of Liege. As the ancient capital of Brabant, it had grown to be the largest and richest of all the towns on the lower Maas. Isolated as it was, for all that it was also strongly fortified, it must have been lost to the States had the fortune of the war been reversed. Thus Marlborough completed the design of sweeping the enemy from the Maas.²

These successive achievements did not gratify the vulgar with the sanguinary lustre of so many contested battles in the field. They lacked the tragic interest of the long catalogues of casualties, devoured by eyes dimmed with the conflict of fears and hopes—the houses of mourning hiding themselves amidst the saturnalia of frantic mobs. But very few such battles were so momentous as military achievements. They were terribly humiliating to the mighty heart of France. They were an insult to the great King Louis such as the blood of countless thousands could not wipe out. They were worse than battles

¹ Coxe, i. 190.

² "Il n'y a rien qui nous serait de plus grand utilité que de nettoyer la Meuse," 31st Aug.—Despatches, i. 23.

lost. Each strength taken was a blow on the face—a blow that could neither be warded off nor returned. It made the punishment all the more significant that these blows seemed to be dealt in substantial punishment of the impalpable insult cast at the British people by the disowning of their chosen king. And by whom were the insulting blows dealt? By the paltry Dutch boors who inhabited the ditches near the dominions of the Grand Monarque, under the guidance and protection of the people who had degraded themselves by driving their king from his throne.

It made the insult all the deeper that a son of France had deigned to wear the laurels that were to be reaped by the French host. We have seen that though the work of commander was done by Boufflers, the Duke of Burgundy, the king's eldest grandson, presided over the army in all the state of a commander-in-chief. It scarcely redeemed the vaunting folly of this arrangement that the prince went home whenever it became clear that Venlo was to fall. That it touched the royal house, made the insult all the more keenly felt throughout all France. We have seen in later times so different a spirit among the people of that country, that we can scarcely realise the extent to which the monarch was at that time justified in his arrogance by the abject worship of his people. The nation had down to its lowest dregs been stirred with delirious joy when it was trumpeted forth that sons of France had partaken of the victory of Steenkirk.

To those at home capable of measuring their significance, the achievements on the banks of the Maas

were significant vindications of sanguine prognostications. We had a general who, go where he would and do what he might, could be neither hindered nor touched by the mighty monarch who had heretofore been the great bully of Europe. Let our general be intrusted with a sufficient number of British troops, sufficiently supplied, and the future of Europe was secure. One consideration only cast its shadow on the future. It was certain that King Louis would not bear his humiliation with passive resignation. His resources were still vast, and Britain must be prepared for a tough contest. Already it was realising itself to Marlborough that the war would only be ended by striking at the heart of France in the seizure of Paris. So far the British and the Dutch had stood by each other to good purpose. They had strong bonds of union in common dangers and common objects. But the fact that these latter were common to both, was apt to cause rivalry and discord. We have seen how powerfully the dangers of the trade of England, threatened with annihilation by the insolent policy of King Louis, had stimulated the Parliament and the Government to enter on the mighty struggle. But the Dutch were driven by trade influences still more absorbing. There is no reason to suppose that they abjured the economic creed of the day, which rated the gain of every community as something lost by some other community. But their peculiar position forced them, more than any other State, from the restraining and cramping influence of this doctrine. They had, in comparison with other districts containing a less amount of population and wealth, few commodities

to sell. Their staple wealth was in their shipping; and this enabled them to find profit in the trading transactions of others, whether these were conducted on sound canons of trading economy or not. It was hence their tendency to engross the carrying trade of the world.

But this meant something beyond the humble duty of conveying merchandise from place to place; it meant the nursing and creating a great sea Power. The community that had shipping for the carriage of all the merchandise in the world would, if permitted a free development, become the first maritime Power in the world. This had become more distinct since the departure of the feudal system, with its military retainers, had separated the soldier from the citizen, so that the army could only be supplied by a peculiar class drilled to the duties of the soldier. Every able seaman in the merchant service had little to add to his accomplishments to make him a sea-warrior. Indeed, the sailor was in general drilled to all but the little that remained for applying his skill to craft larger than the kind he had been accustomed to; for all vessels frequenting the open seas were armed, and indeed a large portion of them followed the desperately warlike trade of piracy.

These distinctions bring us to another of a still broader character, between land and sea. It is not only possible, but of continual occurrence, that two Powers may be equally supreme and hostile to each other; but there cannot be two Powers hostile to each other equally supreme at sea: a law of political dynamics requires that, in the end, one shall crush the other. The Czar of Russia and the King of

France might be sworn enemies, and supreme in power each at his own end of the Continent; but Britain and Holland could not be at enmity with each other and each supreme over a portion of the ocean—they both commanded in an element where they must meet and fight out the quarrel to the end. This was a condition strengthened by the progress of nautical science. The further a ship could sail, the wider became the region where one flag must be supreme. With their galleys, that could live only in the Mediterranean, the Venetians might be supreme there, so long as the rigged vessel of the Northern seas had not found its way through the Strait. The command of the ocean seemed at one time destined for Denmark. Then came the Dutch, more enterprising and closer to the centre of Europe. So far had they gone on the path of empire, that they, and they alone, among the nations of the world, could boast that the booming of their cannon had frightened the citizens of London. The Dutch were, however, but a small community, soon reaching their utmost development, and their progress was outstripped by the wider expansive resources of the British empire. Then came the English Navigation Act, cutting off the favourite carrying trade of Holland from all the commerce of Britain and her dependencies. Recent experiences in economic science have taught us that this measure could not have fostered the real aggrandisement of England. But if it crippled England, it crushed Holland. According to the economics of the day, that fact alone proved that it was a source of prosperity to England.

Meanwhile, out of the trading rivalries of the two

countries, there arose matter of grave dissatisfaction in the Dutch method of taking the quarrel with France. The trading propensity seemed to overcome the patriotic, and the trade between the Provinces and France remained open. It was very tempting; for Dutch vessels could glide along the coast to the neighbouring French coast, and the access by land was short and easy. It would require some powerful influence to make the Dutchman abandon a trade he had set his affections on. With him, indeed, trade was rather a passion, and an object of ardent ambition, than the sombre drudgery seeking its reward in a comfortable competence. He had a subtle instinct for discovering and pursuing hidden ducts of trade imperceptible to the vulgar dealer of other lands. Difficulties and dangers only fed his ardour in the pursuit.¹ It is but fair to remember that a high spirit of honour accompanied all this ardour. It was the Dutchman's sense of chivalry to stand to his bargain, both in the

¹ Voltaire happily notices some instances where the Dutchman's lust of trade overcame the worthier influences: "Ce qui avançait encore la chute des Hollandais, c'est que le Marquis de Louvois avait acheter chez eux—par le Comte de Benthim secrètement gagné—une grande partie des munitions qui allaient servir à les détruire, et avait ainsi degarné beaucoup leurs magasins. Il n'est point du tout étonnant que des marchands eussent vendu ces provisions avant la déclaration de la guerre, eux qui en vendait tous les jours à leurs ennemis pendant les plus vives campagnes. On sait qu'un négociant de ce pays avait autrefois répondu au Prince Maurice qui le reprimandait sur un négoce, 'Monseigneur, si on pouvait par mer faire quelque commerce avantageuse avec l'Enfer, je hasarderai d'y aller bruler mes poiles.'"—*Siècle de Louis XIV.*, chap. x. It is from such incidents that a story found its way into the old English collections of anecdotes. There is a fight between an English vessel and a Dutch. The English captain, finding his powder running short, trusts so far to the spirit of trade animating his enemy as to send a flag of truce offering to purchase certain kegs of powder. The powder is sold and paid for, and the fight is resumed.

letter and the spirit, though it should bring ruin with it, and ways could be found for escaping that ruin. But he chafed under all restrictions in bargain-making; and the national enemy who should come to him with a remunerative transaction in hand was not to be counted his personal enemy.

With the English, on the other hand, the spirit of trade saw only the smiting of the enemy. His trade was to be crippled—if possible, to be extinguished—be the cost to England what it might. It was certain that ere long the two trading policies would jostle against each other. The opportunity came in winter, when the States, depressed and frightened, appealed to Britain for further aid.

This appeal suggested to the Commons an odd source of relief. That headstrong madcap, Charles XII. of Sweden, was wasting a treasury of warlike energy in quarrels with his Slavonic neighbours, instead of throwing himself into the cause of freedom and Protestantism in the great European crisis. If he could be brought to reason and peace with his present opponents, there would be a force of 12,000 Swedes and 6000 Saxons to fight in the good cause.¹

The Dutch admitted that the consummation of such a scheme would be a great gain to the good cause; but meanwhile ruin might seize themselves. The project was circuitous, and its success doubtful, while their peril was imminent and certain. They appealed to the cruel wrongs they had suffered, in words few and simple, but sufficient to arouse the recollections of a tale that had filled Europe with compassion and horror. Their tyrant enemy had sworn to take

¹ Commons Journals, Dec. 4, 1702.

Amsterdam. They had opened the sluices, let in the waters, and defied him to do his worst. Partaking in the fury of their baffled master, the French troops, wherever they could set foot on Holland, flung off the restraints of civilised warfare, and visited the hapless spots with such ruin as if the whole calamities that an ordinary war could have spread over the whole territory were concentrated on them in punishment for their saving of the rest. In testimony of these horrors was the remembrance of two fair cities, Swammerdam and Bodegreve, blotted in blood and fire out of the map of Europe. An illustrious Frenchman of a later generation mused over the fiendish ferocity of the French soldier of that period as a phenomenon not easily to be explained, and could mention as a natural result, that in his own day, to inculcate a hatred of the French was part of the education of children in the United Provinces.¹

Then, in letting in the sea, they had found a costly protector. The desperate alternative could not be achieved without peril and loss to human life. Dwelling-houses and farm-steadings were ruined and drifted away. The bright green pastures of the polders were wet and smeared with sludge and sand. The cost of the war was heavy on the State. And now it was to be renewed in more formidable shape than ever. King Louis was more infuriated than

¹ "Il est étonnant que le soldat Français soit si barbare, étant commandé par ce prodigieux nombre d'officiers, qui ont avec justice la réputation d'être aussi humaine que courageux. Ce pillage laissa une impression si profonde que plus de quarante ans après j'ai vu les livres Hollandais, dans lesquels on apprenait à lire aux enfans, retracer cette aventure, et inspirer la haine contre les Français à des générations nouvelles."—Voltaire : *Siècle de Louis XIV.*, chap. xi.

depressed by his losses. That the paltry trading commonwealth should find the means of thwarting him was a humiliation not to be endured. The States, in their appeal to the British Government, said they knew that King Louis was preparing to renew the war with an overwhelming force. In his thirst for vengeance, he was less the ambitious combatant weighing his resources as adapted to success, than the fiend who shall annihilate his enemy though both perish together. He would drag forth from among his subjects the last man able to carry a fusil ere the States should boast that they had defied him.

The piteous appeal of the Dutch—the full knowledge of all they had endured—the chivalrous instinct to back up those who had been thrown in the front of the great contest,—all throbbed to the heart of the British people. There stood some technical parliamentary difficulties in the way of immediate relief. The supplies and their appropriation, with the establishment of the forces, had been voted. A prorogation would be necessary to open the business again, and against a prorogation there were weighty reasons. The blood of the nation, however, was up to the fighting point. The Commons promised co-operation with the executive, and the executive knew that it could rely on the fulfilment of the promise. The opportunity, however, was not allowed to pass without a reference to—indeed an effective extinction of—those little trading tricks to which our unfortunate partners were addicted. The Commons “assured her Majesty of their co-operation in any measure for increasing the forces which are to act in conjunction

with the forces of the States-General,” with this distinct condition, “your Commons do further crave leave humbly to beseech your Majesty that you will be pleased to insist upon it with the States-General, that there be an immediate stop of all posts, and all letters, bills, and all other correspondence, trade, and commerce with France and Spain; which your Commons are humbly of opinion is so absolutely necessary for carrying on the just and necessary war wherein your Majesty is engaged, to the interrupting the trade of your enemies, and reducing them to the greatest straits, that your Commons do humbly desire that England may not be charged with the pay of such additional troops, but from the day when such stop shall be made by the States-General.”¹

When Parliament reassembled in November, besides continuing the maintenance of the 40,000 men voted for the previous session, there was a vote for 10,000 “augmentation troops” to join the army in the Low Countries, along with a vote of 8000 men to be sent to Portugal for service in the branch of the war arising in the Spanish peninsula. The Commons were assured on the occasion by a message from the Throne that the delinquencies of the Dutch dealers in trading with the enemy would be suppressed.

¹ Commons Journals, 7th January 1703.

CHAPTER VI.

*The War.**(Continued.)*

MARLBOROUGH RETURNS HOME—AN ADVENTURE ON THE WAY—THANKS OF PARLIAMENT—DUKEDOM CONFERRED—DEATH OF HIS ONLY SON—THE WARLIKE SITUATION—PECULIAR POSITION AND CHARACTER OF THE ELECTOR OF BAVARIA—HIS CHOICE OF THE FRENCH SIDE AND ITS CONSEQUENCES—VICTOR AMADEUS OF SAVOY CASTS HIS LOT WITH THE ALLIES—THE PERIOD OF INDECISIVE BATTLES AND ITS END—MARLBOROUGH'S PROJECT OF SEIZING ANTWERP AS THE KEY OF THE NETHERLANDS—HOW THE OPPORTUNITY WAS LOST—KING LOUIS CARRIES THE WAR INTO GERMANY—PROJECT OF BESIEGING VIENNA—MARLBOROUGH'S DETERMINATION TO INTERCEPT HIM—TAKES HIS ARMY ACROSS THE WATERSHED BETWEEN THE RHINE AND THE DANUBE—DONAUWORTH—STORMING OF THE SCHELLENBERG—JUNCTION WITH PRINCE EUGENE—BATTLE OF BLENHEIM.

MARLBOROUGH had in the meantime returned to England, shifting his labours in the great cause from the field to the court and the council board. In setting out on his journey homewards, an adventure befell him trifling in itself, yet of such a nature that a slight turn in its incidents might have stopped his career and made the history of Europe other than it became. He was dropping down the Maas with but a small escort. Darkness came on when he was a few miles below Shoermann. Descending the stream no

towage was required, but somehow the tow-rope got loose and was caught by a body of the enemy going along the bank. They pulled the barge to the shore and took possession of its inmates. Some Dutchmen of importance among them, civilians apparently, had passes—Marlbrough had none; but an attendant, as it is said, thrust an old pass of some kind into his hand, and it satisfied the captors, who left him and his Dutch companions, removing the effective men of their guard. The party seem to have been crimps securing men for the service of the enemy. Whatever they were they were easily satisfied, and they seemed to think the fine gentlemen who talked French fluently would not make a valuable acquisition. If the Dutch had not up to this moment shown any enthusiastic appreciation of the achievements of their champion, they redeemed themselves from the charge of indifference when the rumour sped that he was lost to them. At first came apprehensions and lamentations, then heroic projects for snatching him out of the enemies' camp, and lastly, a vehement and sincere outburst of joy when in all his majestic serenity he reappeared at the Hague.¹

On his return to London he received what in this country is always deemed the highest of all the distinctions open to the soldier—an address of thanks for his services from each House of Parliament. He was created Marquis of Blandford and Duke of Marlborough.² When the services he had performed, substantial as they were, are estimated along with his later achievements, his elevation to the highest rank

¹ Coxe i., 192, 193.

² 14th Dec. 1702. Nicolas's Synopsis of the Peerage.

obtainable in his own country might look like the reward not of accomplished but of anticipated service. It was the policy of the Government, however, to strengthen his hand for the exercise of his high command, by giving him whatever could be bestowed in rank on a subject of the British Crown, and to cherish his authority in an army where persons who claimed the attributes of royalty had to obey him. But for all that he was conscious he had achieved, and all that a grateful nation conferred on him, it was his doom to return to his duties a stricken man. His only son, called by courtesy the Marquis of Blandford, a fine boy in his seventeenth year, died. Long afterwards, when it was clear that Marlborough was to die without leaving a son to inherit his honours, the national sympathy with the man so illustrious and so bereaved was shown in an arrangement that his honours should be borne while there were descendants of his daughters—that so long as any male descendant of any one of these existed, there should always be a duke of Marlborough to grace the peerage. This national homage was technically completed when an Act of Parliament settled all his honours on his daughters and their heirs-male. The boy died on the 20th of February 1703. No one, not even an enemy, doubted the intensity of the father's grief and sufferings; but his weighty duties called him off so swiftly after his bereavement, that, on the 17th of March, he was at the Hague arranging the future of the war.

It was now no longer to be a vapid local effort to secure the frontier of Holland from an invasion doing mischief that might never be retrieved. The Dutch States and Northern Germany were safe in

the meantime, though the States must be prepared for a hard contest with King Louis whenever he found himself so clear of work elsewhere that he could throw the bulk of his power upon them. But the general quarrel had now so deepened and broadened as to divide all Europe into two camps, in one or other of which every state must take its part, or prepare itself to face the dangers and difficulties of those who have no friends to stand by them in the hour of need. The rallying-cries concentrating the two forces were on the one side the integrity of the imperial system—the old “Holy Roman Empire;” on the other, France and the claims of the Bourbon family on all the dominions that had been ruled by the last king of Spain of the Austrian race. And to those who rallied round the Empire, their cause was far more than the preservation of an old decayed system, forming an ideal unity among the European Powers. It was because France was a power aggressive on the Empire, that the Empire itself became anything worth defending. The Bourbons, if strong enough, would take possession of the imperial organisation with all that it could give them to make them supreme in Europe. Hence it was that communities like the United Provinces and the Northern German States having little concern with the imperial system—no more, perhaps, than that a few of their towns enjoyed the title and privilege of free imperial cities—stood by the cause of the Empire with such zeal as if they were defending their own native land from aggression.

A careless reader of the events of the war might take the impression that France stood alone on one

side, and that the greater part of Europe was combined against her on the other. When there is a battle it brings up the King of France's army on the one side—the army of the Allies on the other. But the French commander of the king's armies was supplied from a far broader area of the Continent out of France than the area whence Marlborough drew the contingents of Powers in alliance with Britain. There were the great possessions of the Crown of Spain in Italy and the Italian islands: if the inhabitants of these territories did not furnish many men to the French forces in the north, yet they supplied material for a separate conflict with Prince Eugene and the Imperialists. There were close at hand and ever dangerous the towns of the Spanish Netherlands, and if their inhabitants were not likely to take part with France and Spain, a large body of Spanish soldiers were dispersed among their fortresses co-operating with the French. There was Spain itself. Perhaps few Spaniards joined the French army in the north, but the Spanish people and the Court were with the claims of the Bourbons, and there was a separate war in Spain calling off forces that might have enhanced the army of the Allies in the north. There were French also, no doubt, employed in Spain, but they were few in number in a country where the people were for the cause of France, and thus the balance of the weakening influence of the separate war in Spain was against the Allies. Portugal, too, was at the beginning of the war attached to France, though it was antagonistic to the traditions of that country to fight side by side with its larger and dangerous neighbour—the two acted in European

politics a part like that of England and Scotland. Early in the war Portugal assumed its old position, throwing its lot into that of the Allies.

All that belonged to or could be influenced by Spain naturally gravitated to the cause of the French king. The more dubious and exciting elements in the composition of the opposing forces, were in the part to be taken in each instance by the outlying minor states, chiefly German. There was a strong feeling that France must gain the ultimate victory in the great contest. Whatever, therefore, conscientious principle, or a sense of nationality, or political friendships might whisper, safety and ultimate supremacy called to the smaller Power to rally round the banner of the Grand Monarque. To doubt that he must triumph in any great European contest was almost deemed a mark of imperfect understanding or defective intellect. It has happened more than once in the course of history that France has been elevated to this position of the prospectively unconquerable—that the delusion has been scattered by a stern Nemesis, and that none have suffered more in its dispersal than those who held the firmest faith in it. They are the victims of a dynamic law in war and politics, bringing it to pass that great warlike communities, when they are also aggressive and dangerous, create an opposite balance of warlike power and spirit which may in the end outweigh their own.

The largest of these states was Bavaria—an electorate of the Empire, covering a space from Donauworth on the Danube up to the watershed of the Alps, where it marched with Italy and the Austrian Tyrol. To have Bavaria with France was virtually to divide

the Imperial force, if it were counted that the Empire and Germany were one. The Elector of Bavaria had done signal service to King Louis. He was governor for Spain of the Spanish Netherlands, and it was he who in this capacity had the chief merit in the adroit displacement of the Dutch contingents in the garrisons of the Barrier towns. Whatever might be his capacity in the more illustrious schools of war and statesmanship, he accomplished this transmigration with signal skill. We do not hear of a casualty or a blow struck in the affair, and there is something almost ludicrous in the silent dexterity of the manœuvre by which the Dutch found that they were shut out of the forts, and that French soldiers held their posts.¹ In the French State correspondence of the time the Elector of Bavaria is called "Monsieur de Bavière," and he is treated with all the respect due to an officer high in the service of the King of France's grandson. As the partisan of France he would retain his office of governor, with the prospect of other prizes falling to him who should be an important contributor to the success of a conquering cause. The other side of

¹ The following passage from the "Lettre de S. A. Electorale à chaque gouverneur des places des Pays-Bas où il doit entrer des troupes de France" may have interest as a precedent in the practice of treachery: "Je vous écris celle-ci pour vous avertir que, dans la nuit du 5 ou 6 de février, une heure ou environ avant le jour, doit entrer dans votre place un détachement de troupes françaises, que vous recevrez et ferez loger de la manière accoutumée. Prenez vos précautions pour que les officiers des troupes hollandaises qui composent votre garnison ne se puissent apercevoir de cette disposition, qu'après que les dites troupes françaises seront entrées; et pour leur ôter toute la méfiance que cette nouveauté leur pourrait causer, vous appellerez aussitôt le commandant des dites troupes hollandaises, à qui vous direz qu'il ne doit pas s'alarmer de voir des François dans votre place; qu'ils n'y viennent comme eux qu'en qualité de troupes auxiliaires."—Mém. Militaires, i. 433.

course offered him inducements, but these were insufficient to draw him from the service where in fact he officially found himself. There were other claims on him appealing to duty and loyalty. He was an Elector of the Holy Roman Empire, and now he was virtually at war with that Empire—he was becoming a deserter and a rebel. The Imperial law was fulminated against him. This was a process issued from the civil side of the Imperial system, in a sort of rivalry with the interdict and excommunication of the ecclesiastical side. It cursed him against whom it was sent forth, and called him by many hard names. He had no longer a seat in the Diet or any place in the Imperial system. He and his race were divested of all they possessed, land and goods. He was to be impoverished and destitute, and no true German was to assist or comfort him in his destitution. All this would go for little if the cause he adopted should be triumphant, especially if it were his fortune to give substantial assistance in the triumph. But if he were to be a partner of France in misfortune, or even in any dubious success, the law of the Empire pointed significantly to the fact that Bavaria, a part of Germany, was fighting against the cause of the German people—against the great Fatherland. And this stigma gave bitterness to the fall of this unfortunate dealer in subtle politics, of whom we shall hear more presently.

But there was another consideration weighing heavily on the counsels of the minor Governments that had to ponder on the attractions of the French interest. The great King Louis acknowledged no equality with his allies. He studiously taught them

their place as subordinates. If war and conquest brought the absorption of conquered states into the French dominion, co-operation and friendship with France only pointed to the same end. And now a new strong protecting power had come into the field. Britain had contributed a weight of military strength totally unanticipated to the coming struggle. Britain had great resources for the protection of those who secured her favour, and Britain coveted no man's land—at least on the continent of Europe.

King Louis was met by this influence when he least expected it. The states ruled by Victor Amadeus Duke of Savoy he treated almost as a province of France. He had admitted the house of Savoy to mighty privileges and distinctions. If King Louis imagined that he had some hold on Bavaria, in his eldest son the Dauphin having married a Bavarian princess, the house of Savoy was attached to him by a double tie of a like kind, since the Dauphin's son had married a daughter of Victor Amadeus, and another daughter had recently been married to the grandson of King Louis, who was known in Britain as the Duke of Anjou, and competitor for the crown of Spain, while in French phraseology he was King of Spain, and his wife, a princess of the house of Savoy, was Queen of Spain. The house of Savoy, however, had, as we shall see, to tell against these genealogical influences, a stronger connection of the same kind with the succession to the British empire. Then its relations with France had come to a rather too close embrace. In geographical position and the language of a large portion of the people the states

governed by the Duke of Savoy seemed naturally to fit into France as a dependency.

The house of Savoy was one of the gradually rising Powers. The Duke looked to his chances as the ally of Britain. He saw that Marlborough had a strong hand for Britain in the Netherlands, and he had as a champion at hand Marlborough's companion in arms Prince Eugene. It is among the developments in events worth noting, that Britain's hearty co-operation in the contest for the safety of Holland and the integrity of the Empire, brought out against the aggressive progress of King Louis two contradictory forces of aggrandisement: the one in the last Margrave of Brandenburg and first King of Prussia, whose descendant has restored the Empire of Charlemagne; the other in that Duke of Savoy, whose descendant has become King of Italy.

The position of Savoy in the map of Europe, and its physical geography as a strong mountain district, were of a kind to give it great political and military power in co-operation with France. But these very qualities also tended to the conclusion that this effectiveness would be enhanced if both were under one supreme sovereignty, and of course that sovereignty must be in the house of Bourbon. It might be supposed that the kinship of Victor Amadeus with the house of Bourbon would have in some measure saved him from the rapacity of King Louis. But rapacity was not the most dangerous shape taken by the capacity of the French Crown for the absorption of minor Powers. Its paternal friendliness for weak neighbours was a more effective aggrandiser. Many small sovereignties had been acquired by the younger sons

of the French kings. Others were related to the Crown of France by tangled genealogical connections arising from intermarriages. All these small principalities, if they were not far distant from Paris, were treated as in some measure dependent on the French Crown. The immediate lords of such territories had for centuries been known in the annals of France as the "Sieurs des Fleurs de Lis," and as a class of men who were not independent sovereigns, and were yet something more than subjects even of the highest rank; they were often politically troublesome. King Louis had shown rather abruptly a disposition to treat his kinsman the Duke of Savoy as one of these. In the war of ten years earlier the King sent orders to the Duke to send troops to Flanders, and demanded for strategic purposes possession of Turin, his capital. This roused resistance, and King Louis found that he might finally lose the aid of one able to be very useful as a friend if he persisted in coercing him as a vassal. The Duke's dominions were, in the hands of an enemy to France, a strong barrier in the way of aggression in the direction of Italy—in the hands of a friend they were the gates between Italy and France, to be opened on the side of the friend and closed on that of the enemy. If the Duke were powerful enough to hold his own in his stronghold, it would be his safer policy to defy France; and the friendship of the Empire, bringing with it the championship of Marlborough and Eugene, seemed to give him that strength. But if he retained any lingering doubts about the prudence of what he had done, they must have been at once dispersed when he received a brief letter from King Louis comment-

ing on his choice. In his passion the King revealed his ulterior designs, by treating the Duke not as a sovereign entitled to make and unmake alliances with other sovereigns, but as a vassal who had mutinied against his lord. His burst of wrath was like the snarl of the beast of prey who, close on his victim, sees it escape.¹

Another consideration, more connected with prospective political chances than with the immediate war policy of the period, may have had its influence in turning the Duke to the British alliance. If from the succession to the English crown the offspring of James II. were simply excluded, the house of Victor Amadeus was next in succession to that crown, his wife being a granddaughter of Charles I. through her mother, Henrietta-Maria, married to the Duke of Orleans. It is true that Britain had shown a strong determination not to permit a member of a Popish house to ascend the throne. There was an Act of Parliament passing over the house of Savoy and seeking an heir in the Electress of Hanover, descended from a sister of Charles I. But this was an act of statesmanship so utterly at variance with all Continental ideas of monarchical prerogative, that it was scarcely believed in as an adjustment capable of reaching practical effect. It was remembered, too, that when the intricate question of the regulation of the succession was one still open to dis-

¹ "Septembre 1703. Monsieur, puisque la religion, l'honneur, l'intérêt, l'alliance et votre propre signature ne sont rien entre nous, j'envoie mon cousin le Duc de Vendôme à la tête de mes armées pour vous expliquer mes intentions. Il ne vous donnera que vingt-quatre heures pour vous déterminer. LOUIS."—Œuvres de Louis XIV., vi. 135.

cussion, there was actually a party with a preference for the house of Savoy. Whatever policy in Britain has reached the position of avowal by an actual party who may venture to speak their mind is apt to retain after defeat a strong vitality. The succession of the race of Victor Amadeus to the crown of Great Britain was a future not utterly desperate. All these things considered, the Duke of Savoy heartily cast his lot with the fortunes of the Allies.

The contest that was now to derive new life and vigour, came to be known as the war of the Spanish Succession. It was thus a kind of quarrel that could not rest in a mere negative shape of antipathy to a Bourbon prince — there must be two sides of the quarrel in the shape of two heirs to the throne of Spain. France had accepted the succession for the grandson of King Louis, as bequeathed to him by the King of Spain. It was not until September 1703 that the Archduke Charles, the younger son of the Emperor Leopold, was proclaimed King of Spain at Vienna, and accepted in that capacity by the Allies in general. He was ever afterwards in the correspondence of the Allies called "The King of Spain," or "His Catholic Majesty."

It was necessary in the meantime to find a cause that could be named in the diplomatic and military correspondence. The real cause was to stop the aggression and break the existing power of the house of Bourbon. It was not perhaps considered becoming that the war should get its name from such a motive, and be called, for instance, the coalition against France. The object more usually named was the protection of the Empire, or the safety of the Empire.

But these were hardly names to conjure with, had not great achievements adorned the cause of the Allies, whatever it might be called, with a lustre of glory. It was but vaguely known beyond the boundaries of the electoral circles that there still existed the Holy Roman Empire, arrogating some sort of civil allegiance over the civilised world, as the Bishop of Rome claimed ecclesiastical allegiance. Given the conclusion that it was worth fighting for, the other elements of the motive, the Empire's feebleness and state of danger, were beyond question. The possessor and official guardian of its honours, the house of Austria, was also enfeebled, for it had suffered from many trying shocks. About half a century before the time we have reached, Busbec, a Fleming, who represented the Empire as ambassador at the Porte, beheld with alarm the splendidly equipped and thoroughly disciplined janizaries, and was unable to see where they could be opposed should they be effectively commanded in a march westward over Europe. Such presages seemed to be fulfilled when the news swept over frightened Europe that three hundred thousand Turks were gathered around Vienna, like hungry wolves around a mountain village. The crisis passed over, and with strangely slight fighting. The great army was gone. It had fallen to pieces and dispersed without efficient military cause for the blessed effect.

But as with the survivor of some awful catastrophe that threatens instant death and leaves but a slight hurt, the nerves of the community were shattered. There were still contests with the Turks, and they were conducted with a tremulous uneasiness unknown to the soldier confident in himself and in his cause.

The Turks gave their aid to a harassing war in Hungary—a war that rebuked Austria as the champion of the humiliation of France, since it assailed the aggrandising policy of the house of Austria, and demanded the restoration of old national institutions. On the other hand, when in the new war Bavarian troops penetrated into the Tyrol, the peasantry rose to protect themselves in the paternal rule of Austria: they manned the passes, as they have done in later times, and tossed fragments of their mountains down upon the invading host, driving them back into their own country.

In such episodes of war there is something of refreshing contrast with the gloomy uniformity of the greater part of the warfare of that day. If there were not mighty achievements filling the ear of fame, there was patriotism, adherence to ancient local usage, or some vitality other than that of the battalions inspired by the crimp, the drill-sergeant, and the paymaster. Since the map of Europe had been thoroughly recast by the Treaty of Westphalia the art of war had reached a sort of perfection that brought it almost into the category of the exact sciences. There were certain things, and no other, that it behoved an accomplished commander to do. It was sometimes said that a commander divined with precise accuracy what his adversary was doing, because he knew what he himself would do under the same conditions—of course the compliment inferred in such a divination was superlative.¹ No soldier of the day would have

¹ "Montécuculi était seul digne d'être opposé à Turenne. Tous deux avaient réduit la guerre en art. Ils passèrent quatre mois à se suivre, à s'observer, dans des marches et dans des campemens, plus estimés

acknowledged such a motive; but in the courtesies of war there was creeping in among military men, under the guise of a mutual respect, a principle of live and let live. Victory was no doubt a great thing, but a true soldier would rather see absolute destruction alight somewhere else than on the army of the enemy. The exploits of Prince Eugene on the Adige and along the Italian passes of the Alps justly earned the title of brilliant, because he sometimes made a vehement and effective attack on superior forces, and accomplished adventurous marches through difficult passes to pounce unexpectedly on the Bavarians. But the most brilliant of all his achievements in this portion of the war was the battle of Luzara, of the result of which it is told by the great master of epigrammatic irony, that it called forth the *Te Deum* of triumph simultaneously in Vienna and in Paris.

That such events afforded opportunity for the occasional pointing of an epigram could not divest them of their tragic character as bloody contests productive of wasted slaughter. But surely we may enjoy the farce after the tragedy when we are told how, on the ground to be some months later made immortal by the battle of Blenheim, a French and a German force meeting face to face fled from each other in mutual panic.¹

que des victoires par les officiers Allemands et Français. L'un et l'autre jugeait de ce que son adversaire allait tenter, par les démarches que lui-même eût voulu faire à sa place, et ils ne se tromperent jamais."—Voltaire: *Siècle*, ch. xii.

¹ "Après la première charge on vit encore un effet de ce que peut la fortune dans les combats. L'armée ennemie et la Française, saisies d'une terreur panique, prirent la fuite toutes deux en même temps."—*Ibid.*, ch. xviii.

An officer in the French service who was present in this affair gives

There is throughout, the weary routine of indecisive battles during the campaigning season, and then the retirement of both armies into "winter quarters," to abide in impatient idleness until they are again let loose upon each other to play on the too equal game. Whether the casualties in the armies were great or small, that was one ever-certain repetition, heaping an accumulation of dire misery and calamity upon the people cursed by their presence. It was such a process as put it in men's hearts to pray for the apparition of some mighty captain who could deal his enemy such a fatal blow that thereafter one half of the world's torturers should be paralysed, and the other half find their occupation gone.

Even for some time after Marlborough returned to his command, the army did not aim at high achievements. Bonn was invested and taken, and next Huy, on the Maas: this was a dependency of Liege, occupied, like the principal fortresses, by the French; and it had to be taken from them to clear the course of the Maas. The town of Bonn was not heavily fortified; but a fortress on the opposite side of the river seems to have been troublesome, and Marlborough

an account of it in details whence one would not infer so decided a double flight. He mentions, however, an incident causing confusion, and likely to have caused panic. The French and Bavarian divisions arranged that the first to sight the enemy should announce the fact by three guns, to be acknowledged by three guns from the other division. But D'Usson, the French general, "trompé par trois coups que les Impériaux tirèrent à son approche, et qu'il jugea être le signal que l'Electeur lui avait marqué, passa la rivière de Hochstet, et se mit en bataille, faisant un grand feu d'artillerie, qui ne fut point entendu de l'armée de l'Electeur à cause du vent contraire. Ce contretemps l'obligea à se retirer vers les lignes de Dillingen, parceque les ennemis, qui ignoraient que l'Electeur fut si près d'eux avec tout l'armée, marchèrent à lui avec toutes leurs forces."—Mém. de Marquis Maffei, i. 174.

chafed somewhat at the delay in accomplishing a surrender. Far grander projects were arising before his eye; but there was a reason why Bonn must be taken. It contained the Court residence of the Elector of Cologne—one of those smaller German princes who had cast their lot with France. It seemed a better policy than any immediate attack on French territory, that the German adherents of France should be smitten one by one, and taught by heavy punishment that their choice had been a mistake. This secured the Germans who had joined the Empire and Britain in their allegiance, and might possibly bring back some of those others who had gone astray, to the cause of their Fatherland.¹ The siege of Huy on the Maas, following that of Bonn on the Rhine, inferred a return towards the Netherlands. There is at this point an uncertainty in Marlborough's motions, and

¹ There is a curious letter about the siege of Bonn, by Marlborough to Yres, Marquis d'Alegre, a French officer in the service of the Elector of Bavaria. Marlborough appears, in his courteous way, to make something like a threat. He says: "Je puis vous assurer, que partout où j'ai en l'honneur de commander, ça toujours été mon dessein de conserver autant qu'il m'a été possible les églises et autres édifices publics; nous tâcherons aussi d'en user de même dans la présente occasion. Il n'y a pas besoin, monsieur, que je vous dise pourquoi nous sommes venus ici avec les troupes de la Reine ma maîtresse et de MM. les Etats, qui forment ce siège, et vous pouvez bien croire que nous tâcherons de perdre le moins de temps que nous pourrons pour venir au plus-tôt à la brèche. Je serai pourtant bien marri si en faisant notre devoir aucun des boulets ou bombes en échappe pour endommager les églises et édifices publics, n'étant nullement notre dessein, encore que nous nous croyons en droit de nous servir de toutes sortes de voies légitimes pour parvenir à notre but, sans aucun égard aux menaces que vous nous faites de la part de M. l'Electeur de Bavière, étant toujours en état de user de représailles, que nous ne manquerons pas aussi de faire avec la même sévérité dont vous parlez dans votre lettre."—Letters and Despatches, i. 91. The archaeological student will recognise in the object of Marlborough's care what may claim to be the noblest specimen of Norman-Gothic in Rhenish Germany.

it becomes part of our story to notice some events in the war, not as in themselves great or glorious, but as so checking the projects of Marlborough as to require that he should change the current of the war.

Antwerp was then, as in later times, the key to the fortified towns on the Scheldt, and indeed throughout Brabant and West Flanders. It might otherwise be described as representing in enlargement the relation of its own citadel to the minor fortified works attached to its walls, since it was the centre of convergence to a group of fortified towns bound to it by an apparatus of dikes and canals. An ordinary soldier would have begun at one of the extremities and crept to the centre, but it was Marlborough's intention to strike at the heart. "I shall," he says, writing to Godolphin from Maastricht on the 19th of May, "to-morrow send an express to the Hague to see how far they have prepared *for what I call the great design*; so that we may not lose time in endeavouring to put it in execution. Before I left Bonn measures were taken for the embarking of twenty battalions of foot, if it be possible to get boats enough, and twenty-one squadrons of horse are to march the nearest way to Bergen-op-Zoom, where they are to meet the twenty battalions that go by water. These troops are to take the most advantageous post near Antwerp, after which there will be care taken to join more troops to them. If this design of Antwerp can be brought to perfection, I hope we shall make it very uneasy for them to protect Brussels and the rest of their great towns. I am

speaking as if we were masters of Antwerp, but as yet the two marshals threaten."¹

The hint about the "two marshals" reveals a presentiment too amply realised. Boufflers entered Antwerp with an overwhelming force, and passed through to the suburb of Eckern towards the north. Here was a Dutch force under Opdam, a veteran Dutch officer of good repute, though his career had not been adorned by triumphs. His immediate object, when he found himself in the presence of Boufflers's force, seems to have been to get a strong position among the many dikes scattered through the flat plain, either as embankments to canals or as fortified ramparts. Evil rumours about his fate reached England—one the matter of so much moment that Nottingham desired full information. An emissary gave him first the brief announcement: "Opdam is very much censured as having coolly run away, which left his party to the discretion of their enemies, being without a commander to direct them."² A Dutch officer, General Hop, reported the affair to the States-General: "It is impossible for me to mention as yet how many of our side are either dead or wounded in this long and sharp fight. Monsieur Opdam, who went up and down everywhere for a good while, is since amissing, and one of the prisoners, who is a lieutenant, affirms that he was sent prisoner to Antwerp."³

As it was known that Opdam had rendered to the States a report of his own conduct and adventures,

¹ Cox, i. 245.

² Mus. Brit. Addl. MSS., 29589, f. 4.

³ Ibid., f. 1.

that document was sent to the English Government. It exists in the form of a translation into English; and from this being thought necessary for rendering it available, we may be sure that the original was not in French but in Dutch.

This unhappy man's own account of the affair is valuable, as an instance of the utter dependence of an army for safety on the exactness of its commander, and the calamities that may follow any small omission or neglect. We have a minute account of a struggle for the dike as a strong position if it could be gained; but without plans or models it gives a confused succession of waverings and casual successes and disasters, till we come to the point where he tells how "one of the under officers came and told me that our men had no more powder or shot, upon which I desired Colonel Verschuner to send some immediately to them. But he told me it was impossible to come by his ammunition-waggons though they stood hard by, because the dike on the right hand near Wilmerdonck, and the ways that run there amongst, were so stopped up, not only with the artillery and ammunition-waggons, but also with the baggage-waggons and carts of the artillery and led-horses of the whole army, so that there was no getting at them. As soon as I had sent the two battalions to Orderen, as has been said, I presently sent some of my adjutants and other officers back towards the right hand to see if any assistance could be had to maintain the post at Orderen, being the only retreat left us; but there was none to be had, for the rest of our infantry were so hotly engaged, and so vigorously attacked on all sides—the enemy being

three to one and having surrounded us—that it was impossible to send any to my assistance; so that I stood on the corner of the dike by Wilmerdonck alone with Treasurer-General Hop, Colonel Verschuner—who was by his cannons—and some servants and led-horses, having not so much as one battalion or squadron by me; nor could I possibly get any, for the enemy, having attacked our men in Orderen anew with cannon and great numbers on all sides, obliged them to retire, some into the enclosure and others on the skirts without the dike, not being able to stay upon the dike nor the ways that run along it, because they were closely pursued by great troops of horse and dragoons, who came presently riding along the dike of Orderen just under our cannon, when I, having none by me that I could oppose to them, in a great crowd of all sorts of people—servants and horses—was forced behind the dike. I rid a little way upon the great road which seemed to lead to Antwerp, until behind Wilmedook I found a little path, which I turned down, being followed by 25 or 30 men and horse of all sorts, hoping by that to get to our troops one way or other; but I was no sooner past Wilmerdonek than I found we were surrounded by the enemy's soldiers, who were scattered on both sides the way," and so deeper and deeper into the hostile force, until the strangeness of their isolation seems to have been in some measure a protection to them. They entered a village "full of French both foot and horse, the most of them dismounted. They presently mounted again, being surprised to see us come in there, and not knowing if we had more following us. We no less surprised to find ourselves,

contrary to our expectations, so suddenly in the midst of them, began all to speak French as if we were of their army, which hindered them from firing on us, notwithstanding they observed us very narrowly, not knowing what to make of us." At length he reached Breda in safety.

The poor man concludes his story thus: "It being most sensibly afflicting to me, that after having served the State these thirty years with all faith, fulness, and fidelity, and having been in so many battles, fights, and sieges without ever being guilty of one step which deserved the least reproach or blame, that now in my own country where I have lived so long with honour and reputation, as well as in all foreign countries where I have been, must see myself so invidiously treated by so many people, without having the least knowledge or information of what passed, nor of the situation of the country where the fight happened."¹

Here was suddenly stopped a career that seemed shaping itself in Marlborough's mind into a conquest of the Low Countries and a march into France. Before the check had occurred, we find his sagacity leading him to an expectation of it. Thus: "If M. Opdam be not upon his guard, he may be beat before we can

¹ A Relation of what passed at the Battle of Eckern, by Monsieur Opdam. Translation for the use of Lord Nottingham.—Hatton: Finch Papers, vol. ii., Addl. MS. B.M., 29589. In the local conditions on the side of Antwerp where this preposterous adventure occurred, it is easy to find causes of perplexity to a leader not fully acquainted with them. There are canals and detached morsels of fortification, and paved roads crossing each other. A long street, too, accompanies the road leading out of the fortifications, and old maps show it to have existed in Opdam's day. But these were all difficulties that should have been familiar to and expected by a Dutch soldier.

help him." He is sending off the closed despatch, when he opens it to say, "Since I sealed my letter, we have a report from Breda that M. Opdam is beaten. I pray God it may be not so, for he is very capable of having it happen to him."¹ This is all that, so far as any vestiges tell us, Marlborough ever said on the affair.

Waiting to be turned by events into a definite course, and seeing nothing immediately likely to effect this object, he returned to England, and mixed in home politics. It is said that at this time he had a misgiving that, with his mixed army, there would be no opportunity for the career he saw before him, had he so large a force disciplined to work in harmony under his sole command. It may perhaps have been, too, that his domestic bereavement assisted the depression of a forced inaction and a fettered will.

Marlborough, when he returned to his army, found himself in the midst of a general feeling of depression. It was felt in London while he was there, and he went to find it more deeply seated in the hearts of his allies and subordinates. The risings in Hungary had grown in strength, from two causes—the inability of the imperial forces to suppress them while engaged for the safety of the empire elsewhere, and the inducements naturally offered to them by France and Bavaria to hold out. Along with this it was rumoured, and by degrees became certain, that France and Bavaria would seize the opportunity for marching a large army down the Danube and striking a great blow at the empire in its hour of weakness. So vividly had

¹ Coxé, i. 255.

alarm penetrated into the heart of Austria, that there was hasty preparation in Vienna to stand a siege. Such was the situation when Marlborough landed at Rotterdam on the 18th of January 1704.

King Louis was now prepared to give effect to his determination to carry the war into Germany—a determination that brought him to the great disaster of his reign, the one that, though the first of many disasters, is still the most signal of all. But he would show that he was marching on to the empire of the world by hand to hand conflict with the sovereign who professed to wield that empire—at least in diplomatic courtesy. It was to this end that Monsieur de Bavière would be useful—his dominions adjoined and penetrated those of the house of Hapsburg, while the king was clear for a junction and the crossing of the Rhine. But the marshals had their doubts about the devotion to the cause of France of the Elector of Bavaria. If the joint armies were unsuccessful, the Elector might be in some measure liable to be treated, not as a fair enemy in the field, but a liegeman of the Empire in revolt. He seemed loath to quit his own territory, giving for excuse the danger of attack from the Elector of Baden. He proposed a junction by paths of such direction and difficult character that Villars warned him that they would fail in bringing him to the junction. He had let slip good opportunities for effecting this junction. Villars believed he had no more than ten thousand men in the field, while the obligation for which he drew subsidies was to maintain at least twenty-four thousand at the service of King Louis.¹

¹ *Mém. Militaires*, ii. 421 *et seq.*

There was a suspicious levity in his dealing with Austrian troops on occasions when he could have struck a heavy blow. Among speculations about the possibilities of his conduct, one was a suspicion, not unfounded, that, if not in absolute treaty with the enemy, he laid himself out towards them as one who was open to a desirable offer. But he appears not to have been deemed worthy of the expected price. We find Godolphin writing to Nottingham on the 30th of August 1702, that except it were merely “to strengthen Prince Eugene with reinforcements,” the cause “may pay too dear for his friendship;” and further, “If the Elector of Bavaria would offer to carry two thousand men into Italy for the emperor’s service, the consequence would be that he must have the chief command there. I don’t think England would contribute one farthing to such a treaty. But if he will be content to send any part of his troops to strengthen the emperor’s army under Prince Eugene, that article would, I believe, be very agreeable to the Parliament of England.”¹

But the Elector a few days afterwards settled the question in a manner to remind the world of his dexterity in substituting French for Dutch garrisons in the barrier towns.

“22d Sept. 1702.—I have taken pen in hand to acquaint you of a strange overture from the Duke of Bavaria, who having long in several treaties given hopes to his imperial majesty of affording him assistance with his troops—not directly against the two kings, but in Hungary—hath now at last surprised Ulm, the chief city in the circle of Swabia—upon

¹ *Mus. Brit. Addl. MSS.*, 29588, f. 157.

pretence that this circle and that of Franconia have not kept the treaty of association concluded at Ryswick. The manner thus. About forty soldiers in boer's habits, attended the opening of the gates, upon which they rushed in, slew the watch, and let in a body of dragoons which lay near in ambush, and having the advantage of a misty morning, got into the city and secured it till more forces that followed entered and possessed themselves thereof."¹

The Elector had thus done services to the cause of France, creating probabilities in favour of his fidelity. Foremost for consideration among these, of course, was his brilliant achievement in the sudden seizure of the towns. He had reaped the gratitude of King Louis by this performance, and till there should be special reason for it, there was no occasion to mix with that gratitude suspicion that the person who had so expertly performed one feat of treachery with these strongholds, might perhaps perform another. Then he was beset by a moral infirmity that afforded a separate and peculiar hold, though it did not enhance the value of what was held. He was an inveterate and profuse gambler; and Boufflers, in a report to his own master explained that at one time the moneys he had raised to feed this appetite would detain him in the Netherlands; the wealthy and powerful burgesses who had accommodated him had power to control his motions.² But now, on the other side, there had

¹ Richard Hill to Godolphin, *ibid.*, f. 261.

² "Le dit Sieur de Chassonville dit encore qu'il croit que M. de Bavière aurait peine à quitter les Pays-Bas quand il le voudrait à cause des sommes considérables qu'il y doit, particulièrement à Bruxelles; et il est persuadé que les bourgeois se mettraient en devoir de l'arrêter, s'il partait sans les avoir payés."—*Mém. Militaires*, i. 13. The docu-

arisen a pecuniary consideration of greater weight. The King of Spain owed money to the Elector. It does not appear whether the debt was national or personal, but the Elector felt that his best hopes of recovering his own was by commending himself to King Philip, and so he might be expected to remain true in that cause.¹ And if he were so, King Louis not only had a friend whose states were the highway to the country of his enemy the emperor, but he secured the alliance of Monsieur de Bavière's brother, the Elector of Cologne.

M. de Bavière was one of those facile and restless beings, who when they are driven to a point and fairly committed, compensate by impetuous manifestations of attachment for the hesitations and fluctuations of the past. Villars, writing from the camp at Möhringen, describes their meeting in such fashion as to give the impression that it was signally stripped of the decorum to be expected in an official and political interview between a prince of the Empire and a marshal of France. The Elector had in the meantime expressed a burning impatience to find how he could reach Villars. He sent courier after courier. At last he was seen dashing forward on horseback. Villars

ment whence this is extracted is a letter from Boufflers to King Louis, pp. 12-14. It is almost entirely occupied with speculations on the probabilities of the Elector being worthy of trust. On the general appearance of the case in the eyes of the writer's informant, Chassonville, "Il m'a dit qu'il a trouvé M. l'Electeur d'un air fort libre et point du tout embarrassé comme le serait un homme qui jouerait les deux."—13.

¹ "Le Sieur de Chassonville m'a encore dit qu'une des raisons qui engageront M. l'Electeur de Bavière à demeurer dans les intérêts du Roy d'Espagne, est le crainte de perdre les sommes considérables qui lui sont dues par L'Espagne, au cas qu'il entrât dans un parti contraire, et qu'ainsi il est persuadé qu'il donnera tout sujet d'être satisfait de sa conduite."—*Mém. Militaires*, i. 14.

prepared to dismount, but the Elector rushed on him and fastened him in an embrace that drew from the other the complaint that he narrowly escaped being pitched from the saddle. When the Elector's excitement permitted him to speak, he was eloquent in gratitude to King Louis and the great French army that had rescued him from danger, despondency, and gloom, saving his life, his honour, and his family, and raising him to the pitch of glory as a partaker in the success of a triumphant army.¹

The companions thus fantastically associated set off together on the journey that was to be fatal to the cause of both. King Louis was not only determined to push the war in Germany, but he would take it to the south bank of the Rhine, and would thence carry it to the Danube. It was there that the Elector of Bavaria could serve him by a material enhancement of his power to threaten at once Austria, Bohemia, Tyrol, and the German remnant of the Palatinate, and strike wherever there was temptation and opportunity. Catinat, the best of the French marshals, estimated by the combination of military science and bravery with sagacity in applying these qualities, doubted the fitness of the forces at his disposal for this mighty enterprise, and it fell to Villars. His command began with a flush of success. Among other exploits, Kehl, on the German side of the Rhine, was seized. This was a casualty that would have been signally mortifying had there been a lively feeling of German nationality. Kehl was a small place, strongly fortified, to protect the German side from the dangers inevitable in the French possession of Strasburg.

¹ *Mém. Militaires*, iii. 583, 584.

The tourist on the Rhine will remember Kehl, when in time of tranquillity it did part as a suburb of Strasburg, and the passport could be left in Kehl during the stroll through the capital of Alsace, lost to Germany. The loss must have been embittered when Kehl also fell into the hands of all-conquering France; but now both Strasburg and Kehl are again German, after a time when the city and the district round it had become so assimilated to French rule that the transference was a painful revolution even to persons of Teutonic name and origin.

The passage of the Rhine became now a serious question for Villars to solve. He thought at first that this could not be done nearer than Switzerland. As an operation of their force, the passage would be an easy affair; but the Swiss confederacy was a darling creation of the law of nations, and any violence on the neutrality of the defenceless cantons would, as Villars and his master knew well, be more fiercely resented than the subjugation of any of the great warlike states. It was considered at the time one of the happiest incidents in the conquering career of France, that the passage was found practicable by seizing and fortifying the small town of Neuburg, some five leagues below Basle, and building a bridge across the river. This was not accomplished without bloodshed. A smart attack was made on Villars by the Prince of Baden, who was driven back with serious casualties.

The French commander, after the passage had been accomplished, had the satisfaction to find a prevalent impression that his object was to besiege Freiburg, a strength in the territories of the Duke

of Wurtemberg. Though a consciousness of bold adventure and of possible risk give a tone to the despatches of the French commander, the only immediate prospect of an enemy starting up in his path is from the two small territories adhering to the cause of the Empire—Wurtemberg and Baden. Danger from the rapid movements of Prince Eugene may come afterwards, but he is still far off. Of the possibility of an encounter with British troops there is as yet no hint.

In autumn there had dawned on King Louis and his advisers the mighty project of marching to Vienna with an irresistible force and striking a blow at the heart of the Empire. The wisest adepts in military affairs were set to work during the winter to exhaust all the difficulties likely to test such a project, and to devise methods for conquering them. They especially applied themselves to the first and the greatest difficulty—that of conveying a large army, well equipped and provisioned, into the valley of the Danube, to meet the force under the Elector of Bavaria. That once accomplished, all the rest seemed clear.¹

It is to this first step, not the ultimate conclusion,

¹ Marshal Catinat was one of those whose counsel was taken. We shall hear more of him presently. In the meantime we find him precisely defining the great problem to be solved thus: "Quelles sont les mesures nécessaires pour que cette corps et les recrues destinées pour la Bavière puissent passer, avec sûreté les montagnes qui séparent la vallée du Rhin d'avec la Souabe; quel est le temps le plus propre pour cela; quels sont les préparatifs qu'il faut faire pour y réussir; quels sont les projets les plus utiles à suivre quand on aura passé; et enfin, quels sont les moyens de se précautionner, contre ce que les ennemis pourraient entreprendre, s'ils ne portaient pas toutes les forces dont ils ont à disposer, en Souabe et en Franconie, et qu'ils restassent supérieurs à nous sur les frontières du royaume."—Mém. Militaires, iv. 374.

that the still extant military correspondence of the day—fortunately abundant—refers. Throughout the winter the arrangements were made with secrecy and much industry. The projected designs of France, even to the extent of effecting a junction with the Bavarian force, must be kept a dead secret, while the visible exertions are limited to the marching of troops to increase the force on the Rhenish frontier of France. As that frontier extended from the Duke of Baden's territories, where it approached the town now known as Karlsruhe, and stretched upwards as far as Basle, it is apt to create surprise that carrying an army across the Rhine and over the intervening heights into the friendly territories of the Elector of Bavaria should have been deemed an enterprise so formidable and critical as the French correspondence reveals it to have been. But every precaution that skill, labour, and ample resources could supply was to be adopted, and nothing left to chance or mere good fortune.¹ The stake was enormous: if the enterprise were successful to its utmost idea—if Vienna were besieged and taken—the house of Bourbon would be supreme over the continent of Europe. But in the meantime, and until there was a large fresh force conveyed to the Rhine, the critical part of the project was not begun, and might be at any time abandoned without leaving on French history the stain of a failure. Accurate information was carefully gathered in early spring as to the existence and conditions of roads, and the boats that might be available in supplement to the

¹ "L'intention de sa Majesté n'est pas de rien donner au hasard."—Instructions to Tallard, Versailles, 16th April 1704; Mém. Militaires, iv. 425.

three bridges for the passage of the Rhine. The possible supplies of forage and farm-produce are to be ascertained, keeping in view that the spring growth is later in Germany than in France. Suitable places for the baking of bread and biscuit are to be noted.

The French, marching still upwards, met the Bavarians near the Lake of Constance, and then the great junction was completed. This was not merely held as a fortunate incident preparatory to future operations with possible successes and reverses—it was a completed triumph over obstacles deemed by the enemy and the world at large to be insuperable.¹

The whole French force told off for this expedition appears to have been—12,000 infantry and 2400 cavalry, under 900 officers. Communication with the French territories on the Rhine was preserved; and this, while it required that a portion of the advancing force should be dropped from time to time on the march, left the passage open for reinforcements. Between forty and fifty thousand men had in all been assigned as the completed army of the Upper Rhine. The general centre or gathering-ground of the two armies now in the valley of the Danube was Ulm, celebrated in more than one great war. It was not only strong and capable of being further strengthened, but from the surrounding heights and the tower of the cathedral there was a far-reaching view of the great plain of the Danube up and down,

¹ "Ce fut ainsi que se termina, à la grande satisfaction de l'Electeur et des généraux, une entreprise de laquelle le sort de la Bavière, et dont l'exécution avait dû reconstruire des difficultés et des obstacles pour ainsi dire insurmontables. Les ennemis en avaient connu toute l'importance; ils avaient eux-mêmes publié quelle était impraticable."—*Mém. Militaires*, iv. 445.

and of the slopes of the bordering hills. Whenever a sufficient force was assembled for the accomplishment of the great purpose, it had the finest marching-ground in Europe before it—a continued plain with but trifling interruptions all the way to Vienna.

Towards the end of May perplexing news reached Tallard. Marlborough was marching up the Rhine, and had reached Coblenz. At this juncture in the war the French were ever nervous about the possession of Landau. This fortress stands on the Legh, an affluent of the Rhine, a few miles from its junction, and also a few miles on the German side of the frontier of French Alsace. It had been strongly fortified as an advanced post. It had been taken from Bavaria, now the ally of France. But however it might be disposed of between the two allied Powers, it was not to be left a prey to the enemy. Never in high esteem with the French, it was naturally believed to be an object of great attraction to the enemy, and must be saved if possible. It was a hard alternative to Tallard whether he should retrace his march so far as to save Ulm. He sent orders that the garrison of Landau should be strengthened by a thousand men from the available French forces left behind. Then came the rumour that Marlborough possibly had greater views. He might be audacious enough to attack French territory by ascending the Moselle or the Saar.

Tallard marched back towards the Rhine with a large portion of his force. This left his ally, the Elector, in great peril, for the Prince of Baden was so close upon his track that outposts made narrow escapes; and he learned that Prince Eugene, knowing

him to be but scantily aided from France, was marching upon him.¹ At length came more specific news about Marlborough's designs. He was to ascend the Moselle and besiege Trierbach and Treves. Marshal Boufflers had been ordered to meet and fight him on the way, and just a sufficient force had been left in the Netherlands to protect the French and Spanish possessions there.² On this trod the news that Marlborough had passed the Moselle and crossed the Rhine, so that he must have determined to carry the war into Austria and Bavaria.³

Some months before these flutterings in the French and Bavarian army, it had gradually formed itself as a fixed idea in Marlborough's mind that the true way to strike a conclusive blow was to change his seat of war by secretly crossing the watershed of Europe, and unexpected by the joint armies on the Danube, drop on them like a bird of prey. He might thus accomplish two objects,—save the Empire by protecting Vienna, and punish the Elector of Bavaria for deserting the cause proper to every German Power—that of the Fatherland against France. He had, before beginning his march, to make another journey to England, for he had secrets to discuss not to be safely put on paper: and to give effect to his designs, he must draw largely on the resources of Britain; but he found a steady supporter in his great kinsman. Yet he returned to the head of his army with a renewed sense of depression. He chafed against those obstinate conditions that seemed to bind his army to peace, when his soul yearned for war; and in his own home, where he dearly loved

¹ *Mém. Militaires*, iv. 455-460.

² *Ibid.*, 460.

³ *Ibid.*, 462.

peace, it had been lacking. Sarah had been overtaken by one of those furious outbursts of rage, as absolutely a necessity to her life as the occasional eruption is to the volcano. On this occasion the storm happened to alight where it was ever most effective—on the head of her gentle husband. She sent him a sweet, penitent letter to meet him on his return to the camp, and his soul was in Elysium again. Its kindness and devotion seem indeed to have overflowed, for he was put to the painful necessity of demurring when she proposed to join him in the camp.

"Your dear letter of the 15th," he says, "came to me but this minute. My Lord Treasurer's letter, in which it was enclosed by some mistake, was sent to Amsterdam. I would not for anything in my power it had been lost; for it is so very kind, that I would in return lose a thousand lives if I had them to make you happy. . . . It will be a great pleasure to me to have it in my power to read this dear letter often, and that it may be found in my strong-box when I am dead. I do this minute love you better than ever I did before; this letter of yours has made me so happy, that I do from my soul wish we could retire and not be blamed. What you purpose as to coming over I should be extremely pleased with; for your letter has so transported me, that I think you would be happier in being here than where you are—although I should not be able to see you often. But you will see by my last letter, as well as this, that what you desire is impossible; for I am going up into Germany, where it would be impossible for you to follow me: but love me as you now do, and no hurt can come to me. You have by this kindness preserved my quiet, and I believe my life; for till I had this letter I have been very indifferent as to what should become of myself."¹

¹ *Coxe*, i. 323.

The States were naturally opposed to Marlborough's project. It was their instinct to demur at anything likely to weaken the protecting army so happily posted at their own gate. But Marlborough's hand was strengthened by the 10,000 additional troops, and the hope of more, as well as by the punctual payment of the subsidies, and the general disposition of Britain to make the greatest amount of contribution to the conduct of the war, while her benefits from success were prospective and doubtful. The Dutch paid portions of the subsidies, and Marlborough made account of this very adroitly by proposing that they should let him take these subsidised troops and keep their own. They were thus asked to give that of the two which they were the less anxious to retain; and the commander of the army was rid of those troublesome field deputies, who must have haunted him had he taken native Dutch soldiers.

On the 16th of May the army assembled at Bedburg, near Maastricht. Thence on the 19th began the great march. Coblenz was reached on the 25th, and Mentz on the 29th. An instructive volume might perhaps be written on the complicated mechanism—the wheels in the midst of wheels—that kept in its own distinct and separate organisation the troops of each nation, and the constituent elements of each division and subdivision, while all concentrated into a harmonious whole, moving at the direction of one man. But a few particulars, in technical phrase, culled from general orders, reports, and despatches, would make mere idle pedantry teaching nothing. It must suffice that the whole organisation was so perfect, and worked so smoothly, as

to inspire throughout the motley crowd of various populations and languages an implicit reliance. And yet, what he designed to do with them was a dead secret. The most confidential of his communications were in the possession of his kinsman in the English Treasury, who so faithfully supplied him with the equipments and material supplies for the great project. But even Godolphin knew not whither the army was ultimately to march; and, indeed, Marlborough himself did not know; but it was part of the flexible power that led him always to a victory, and never to a defeat, or even a failure, that he could change his purpose at a moment's warning when he examined the surrounding conditions. He was like the engineer among a vast apparatus of powerful machinery, who, by gently turning a handle in a disc, can change the direction in which his potent enginery works, or even utterly reverse the whole process. His passing on from Coblenz to Mentz showed, that if he had at first proposed to himself an attack on French territory by ascending the Moselle, that was not now his design. He had ever, however, a hankering after this project. He afterwards, as we shall see, made serious progress in such an attempt, and suddenly abandoned it, passing to another and more propitious field of action. On the present occasion, it was said that he had made a diversion towards the Moselle; but diversions were not a favourite strategy with Marlborough. There is nothing so apt to impress people with the fact that one intends to go to a place as movements forward in an actual intention; and Marlborough seems to have reaped the benefit of this effectual method of

drawing attention to the course which, in the end, he did not take.

There are now necessary revelations. The Landgrave of Hesse is directed to send to Mannheim the artillery that had been destined for the Moselle. But though there are indications that, instead of the frontiers of France, Germany and the right bank of the Rhine are to be the object, there is nothing as yet determining the crossing of the watershed into the regions of the Danube. We follow the army by the pleasant slopes of the Odenwald towards Mannheim. Hence he writes home. Sarah had been still in an affectionate humour, and he says: "I take it extremely kindly that you persist in desiring to come to me," but there are obvious difficulties in the way; and "besides, my dear soul, how could I be at any ease? for if we should not have good success, I could not put you into any place where you would be safe. I am now in a house of the Elector Palatine, that has a prospect over the finest country that is possible to be seen. I see out of my chamber-window the Rhine and the Neckar, and his two principal towns of Mannheim and Heidelberg, but would be much better pleased with the prospect of St Albans, which is not very famous for seeing far."¹ Still there was nothing to reveal a march across the watershed of Europe. The talk of the day was of the siege of Landau; and, in fact, a bridge had been laid across the Rhine, as if for service in this operation. Meanwhile, as a French force appeared to be approaching Landau to cover it from a siege, care must be taken that if they discover the path taken

¹ Coxe, i. 333.

by their nimble enemy, they are not to be permitted to cross the Rhine and follow him. "If," he says to Godolphin, "the Marshal de Villeroy can be kept on the other side of the Rhine, we must be contented to suffer him to do what he pleases there, while we are acting in Bavaria."¹

At Hippach there was a halt of three days for the gathering up of outlying detachments. Here Marlborough met two men who were destined to be his chief co-operators — Prince Eugene of Savoy, and Louis, Margrave of Baden. It is recorded that Prince Eugene expressed his surprise at the fresh and hearty condition of the men who had sustained so long a march. But at that period the equipments and commissariat furnished by the British Government made perhaps a stronger contrast with the impoverished condition of the troops of France and Germany than they ever made before or since.

The meeting between Marlborough and Eugene was a great historical event. The two men took cordially to each other. It was a phenomenon almost unknown in warfare that two commanders who had hitherto each found himself supreme among his own people, should agree together that each should be free to devote the peculiar faculties he was endowed with to the common cause, so as to give it the strength of united action, instead of exhibiting the jealous rivalry apt to take possession of the greatest natures when their high qualities are cast into competition.

It is evident that Prince Louis of Baden was from the first a less welcome coadjutor. He asserted claims to consideration, and even supremacy, which could not

¹ Coxe, i. 336.

be easily met. He was on a small scale a sovereign prince, while Marlborough was a mere subject. But further, he had a reputation more brilliant than Marlborough had yet obtained, for it was earned by successes in actual battle; and Marlborough had not as yet fought a battle. The Prince had been trained by Montecuculi, and was master of all the rules of strategy and military etiquette in the most accomplished school that the world had yet seen. He had performed in some brilliant affairs along with John Sobieski in the defence of Vienna; and although it was difficult to estimate the effect of generalship and fighting in the mysterious rolling away of the danger, yet there was something indefinitely grand in military feats connected with the dispersal of some hundreds of thousands of the infidels who threatened the subjugation of Christendom. The sieges and battles he had taken part in formed a long list in his portion of the family-tree, and the trophies assigned to his military rank in those affairs where trophies had been captured, made a museum that was one of the wonders of the world. But in Marlborough's estimate all these glories went for little or nothing against the fatal fact that the Margrave could have prevented the junction of the French and Bavarian army, and had allowed them to join. But for all, it was necessary for the sake of the great cause to bear with the Margrave. It had been difficult to secure him for the cause; he had been bought at a high price; and at the juncture now reached, it would be a calamity if he were to take a haughty fit and break off.

An odd arrangement was at last effected—that Marlborough and he should take the command-in-

chief on alternate days. Over subordinate detachments there was sometimes a captain of the day; but as an arrangement for the command of a great force, it has so dangerous a look, that only the abundant testimony of the correspondence of the army would make it be believed. Marlborough accepted the arrangement with his usual imperturbable tranquillity. For all, he would yet find his opportunity; and when he did, it would be a strong hand that could restrain him from seizing it. Meanwhile one of the three generals must go westward for the protection of the Rhine on the Low Countries. This fell to Prince Eugene, though both he and Marlborough would fain have been comrades.

On the 15th of June the army reached the village of Gieslingen, on the heights bordering the Danube. Their next march, beginning with a steep descent, brought them to the cold table-land where the waters on one side travel towards the German Ocean, and those on the other towards the Black Sea. The path before them led down to the Danube. If they had ever been in danger, they were now safe. Had the rocky pass been defended, to march through it would have been as impossible as to march through a fortress. But except to the few who were in the secret, this great army had accomplished as complete an evasion from the cognisance of mankind as a bird that makes itself invisible in the sky.

The course of the Danube up and down was now before the army. The source of all doubt and terror had been, that the way was open for the French and Bavarians marching on Vienna. And now, on any such expedition, the allies could intercept them.

There was one critical point where the command of the Danube might be disputed—the old town of Donauworth, where the narrow, rapid Würmiz pours into the Danube. This was an old imperial city. It was fortified, and very strong; but its strength depended not on the works of the engineer, but in the Danube and the Würmiz sweeping some two-thirds round it, and the Schellenberg rising over the remainder.

Up and down, the river flows between plains of diluvium as flat as an English race-course. This plain is from four to eight miles wide, and bordered by steep hills. The Schellenberg is a branch or spur from these hills on the left side crossing the plain, and dropping abruptly to the Danube. It is one of the critical points where contests had been frequent in the old wars, and it had been fortified in different ways at different periods. On the highest level of its undulating surface there was a fort, then old, though on its site there now stands a fragment like the remnant of a small bastion. Donauworth lay in the lap of the Schellenberg. Works connected with the Schellenberg defences stretched out in the shape of a rampart and covered-way, and seemed to embrace the town, until it was handed over to the protection of the Würmiz, and then of the Danube. With the Schellenberg in friendly hands, it might be fairly judged that no town in Europe was safer than the old imperial city of Donauworth.

If the French and Bavarian army, now again gathering round Ulm, were in occupation of the Schellenberg, and held fortified lines there, it would seem obvious that they could not be attacked with

any hope of success. They might be detained there, and disabled from mischief by besieging Vienna or otherwise. But that was not a conclusion likely to satisfy the ambition of Marlborough. Naturally, he was curious to see how affairs stood on the Schellenberg. The first view disclosed that it was covered with men, who were in a state of restless activity.

Marlborough, in his ardent anxiety, approached so near that the enemy fired at his party, and balls were strewn round them. He satisfied himself that the army was not there—only a detachment: but that detachment was raising a line of field-fortresses, and if they were allowed to complete this work, the Schellenberg would be a great intrenched camp for the whole army; for the surface of the hilly ground is so extensive, that it is not easy to imagine an army so large that it would not find on the Schellenberg sufficient camping and parade ground, as well as outlets for deploying.¹

The plan of the line of fortifications did not profess to run along the base of the hill, but to shield its upper level, seeking in its course the protection of abrupt declivities and marshy places. The line was to terminate at either end with the descent to the

¹ In some histories the Schellenberg is spoken of as a detached conical hill, with a flat top half a mile in diameter. Such a conception of the spot excited the puzzling question why it should be attacked. If such a place of retreat was selected for a detachment, why meddle with them? This idea of the Schellenberg might perhaps have been suggested by a book called 'The Military History of the late Prince Eugene of Savoy, and of the late John, Duke of Marlborough, including, &c., with engravings,' by Charles du Bose. One of these professes to represent the fighting on the Schellenberg; but it is not from below, but from a point on the hill, and gives so exaggerated a rendering of the fort and its escarpment, that these might be taken for a conical hill.

Danube. It was not yet completed; but in a day, perhaps a few hours, it might be completed. Behind this rampart there were 12,000 men—some two-thirds Bavarians, the rest French—under the command of General D'Arco. The troops were fatigued with long marching; but it was Marlborough's day of command, and he determined to storm the Schellenberg. It was mercy to his own wearied troops to take the place, for every hour gave it new strength, and Marlborough learned from the motions of the men behind the works that they did not expect to be attacked on that evening.

The enemy had ninety guns and forty mortars. If Marlborough could bring men on whom he could rely to face a fire from these, the nature of the ground itself did not make much inequality between the two armies. It would have exhausted a much larger force than D'Arco had at his command to have attempted to hold the Schellenberg from its base; and once on the hill, the only absolute inequality was, that D'Arco's force was in great part protected by the field-works, and could concentrate men for the protection of the unfortified entrances.

Marlborough picked 6000 men for the first charge. His whole army was at hand, and his resources virtually inexhaustible. Before being formed, the men were directed to cut branches from the abundant neighbouring woods. These branches were to do duty as fascines in filling the ditch. The charge was made partly in the undefended spaces, and partly by running along the ditch and finding spots where the embankment might be mounted. It was sheer hand-to-hand fighting. Three times the assailants

were driven back and pursued down the hill, but each time flanking attacks on the pursuers drove them back in confusion within their lines. More men had to be drawn from the army. It was the terrible alternative that life must be poured out that life might be saved.

Assistance came from an unexpected quarter—assistance very creditable to him who brought it. D'Arco had naturally told off a party to man the rampart and protect the covered-way stretching along the part of the town of Donauworth unprotected by nature. In the hurry and excitement caused by the unexpected charge, this duty was neglected. The Duke of Baden objected to Marlborough's enterprise as a piece of foolish rashness. To his amazement, however, he found that while his rash comrade was in the midst of a furious fight, a way was open to himself to mount the Schellenberg undisturbed. This was a feat thoroughly canonical in the community of trained commanders, of which he was a distinguished member. The appearance of the head of a new army marching up from the flank was encouraging to the attackers, and intimidating to the attacked. They wavered, and Marlborough's force getting well within the lines, charged irresistibly.

The Schellenberg was an admirable place to be defended, but a fatal place to be beaten in. The very defences took every resource from the defeated. A surrender would have been their policy, but there does not appear to have been collected thought among the leaders sufficient to devise such an act. Not only was an orderly retreat impossible, but there was no opening even for flight. If the fugitives were received within

the walls of Donauworth, Donauworth was in the absolute possession of whoever had command of the Schellenberg. Supposing that while there was yet time the fugitives could run through the town to get at the open country, the end of the long street opened on the suburb of Berg, scattered over high ground, where a great portion of the allied army were posted. There was a bridge over the Danube, but it broke under the weight of the fugitives rushing upon it. Those only who could swim the stream had a chance of escape. The Danube makes a rapid, deep sweep round the abrupt ascent of the Schellenberg. Here a great portion of the force were tumbled down into the stream, where they sank or got across, according to the extent of their capacity in swimming.

This success was bought at a heavy cost to the small victorious army,—the killed are admitted by its own partisans to have been 1500, the wounded 4000. These numbers are enlarged by estimates on the other side, and contrasted with the small number of French and Bavarians slain and wounded: but their chief losses were not in the field, but in the flight, and especially in the despairing efforts to swim the Danube; and it is easy to believe it true that only 3000 of them returned to the banner of the Elector.¹

It was inevitable that the fortified town of Donauworth should fall to the captor of the Schellenberg. The difficulties of the Wörmitz river and the fortifications could only give the garrison a short reprieve, and they occupied the time in an attempt to destroy their magazines and burn the town. In this they had partial and small success, and they had to leave to

¹ Coxe, i. 358.

their successors abundant provender and camp equipage. Marlborough was now master of the main passages of the Danube, in a strong place, well provided with quarters for his troops.

This was the first occasion since the old invasions by the Plantagenets, or, at least, since the battle of Pavia, where French soldiers had ignominiously fled before an enemy. A success that, though small, was so complete, augured well for the coming winter, and cheered the hearts of all communities fearing and disliking France. But exultation was dashed with pity for the poor Bavarians. It was felt that they might have fought better had some good cause stirred their blood—the cause of freedom and Fatherland. But they were fighting for the great tyrant of Europe and the enemy of their race, and those who smote them so heavily for doing so were men of the same Teutonic stock, with languages kindred to their own—English, Dutch, Danes, Swedes, and brother Germans. They were not marshalled under the banners of a paternal prince in the cause of his own people or in the interests of the great combination of German States. His ambition was both selfish and tawdry, for it gained him nothing but the grace of the insolent, aggrandising potentate, whose acquisitions by power and policy were eating into the heart of Germany.

There was no pity for the Elector. On the contrary, the ruin he had brought on his poor subjects intensified the tendency to count him a traitor to his German allegiance, rather than an independent prince making his own alliances.

The Dutch—or, let us hope, only a faction among

them—took occasion to punish Marlborough for deserting the defence of the States and fighting elsewhere. They struck a commemorative medal as appropriate to the victory, remarkable only by Marlborough being neither named nor alluded to. The legend proclaims the enemy all either slain or routed; and that the hero of the achievement may be recognised, the medal is charged with a portrait of the Margrave of Baden.¹

¹ The legend was *HOSTE CÆSO, FVGATO, CASTRIS DIREPTIS AD SCHELLENBERGAM DONAWERDAM*, 1704.—*Histoire de Jean Churchill, Duc de Marlborough*, 1808, iii. 556. It is to this book, written and printed under the direction of the great Napoleon, that we owe the resuscitation of the little affair of the Dutch medal. It is announced with the emphatic comment, "Les Hollandois firent frapper une médaille à cette occasion; ce qu'il y a de bien étrange c'est que sur la face on voyoit le buste du Prince de Bade à la place de celui de Marlborough, qui avoit exécuté l'entreprise, et qui avoit joué le principal rôle dans cette scène également heureuse et sanglante."—*Ibid.*, i. 328.

The Margrave had the fortune to find and the merit to seize an unexpected opportunity for completing the work; but there is preponderating testimony to the fact that he thought it a rash project after the day's march, and that Marlborough took advantage of his day of command to effect it. A recent German historian of the war, the careful Carl Von Noorden, says: "Zur Verschiebung des Angriffes mahnte in den Erwägungen des Englisch-kaiserlichen Kriegsrathes nicht nur die vorgerrückte Tagestunde, sondern auch die sichtliche Ermüdung der Truppen: in diesem Sinne legte der Markgraf seine Meinung ein. Aber am 2d Juli führte der Herzog von Marlborough in namen seiner Königin der oberbefehl. . . . Schön waren weitere Verstärkungen des Schellenberges im Anmarsche. Im Saufe der Nacht konnte Graf d'Arco die Schanzwerhe Villig in Stand setzen. Marlborough ergriff den nächsten Moment; die noch übrigen Stunden des Tages sollten über den Eintritt ins Kurfürstenthum Baiern entscheiden."—*Europäische Geschichte im achtzehnten Jahrhundert der Spanische Erbfolgekrieg*, i. 542, 543.

The momentous influence of the storming of the Schellenberg was not felt until it was seen to open the path to greater events. France was not yet accustomed to realise disasters, and the following announcement in the 'Paris Gazette' of 26th June, sounds like an account of some trifle of a different character: "Toute fois le comte d'Arco voyant ses troupes fatiguées d'un combat de près de trois heures, et

In the view that the Elector was a deserter and a traitor, the storming of the Schellenberg was set down as the first instalment of his castigation; and if he persisted in his course he must expect more castigation still, and with good reason, since Marlborough was the avenging Nemesis who was henceforth to pursue him, and bring him to reason or to ruin. A slight flush of vindictive wrath seems at this juncture to cross the calm surface of Marlborough's official correspondence, and his wrath is held in surly and distrustful suspense, while his course of action is not stopped, on understanding that the Elector is in treaty to return to his duty for a sufficient price. It is clear that the Elector hesitated and treated; but little more is known of the negotiations, except that he found himself bound to France by ties not to be broken.¹

qu'elles pourvoient estre envelopées, jugea à propos de se retirer à Donawert, ce qu'il fit en très bon ordre, sans perdre ni drapeaux, ni étendards, ayant seulement laissé huit pièces de canon qu'il fit enclouer, ne pouvant les emmener."—P. 357.

¹ Marlborough does not appear to have had any personal negotiation with the Elector. A deciphered cipher says: "The Elector of Bavaria hath desired to see Count Wratislau, and this evening he is to name the place where they may meet, so that by my next you may expect to know the result of their conference. In the meantime you may be assured we shall not delay our operations one moment on this account."—*Despatches*, i. 348. The "operations" are occasionally alluded to thus: "De presser M. l'Electeur, le plus qu'il sera possible, encore qu'il ait le Lech devant lui, afin de ne perdre aucun temps à le reduire à la raison."—*Ibid.*, p. 343. "We are making the necessary preparations for forcing our passage over the Lech. We shall then be in the heart of the enemy's country, and shall continue to press them without giving them the least time to recover" (*ibid.*, p. 344): and three days later,— "We have now got into Bavaria, over two great rivers, without any opposition, so that the Elector must soon come to terms, or run the risk of having his whole country ruined; for since our victory on the Schellenberg they have not made any head against us" (*ibid.*, p. 348). "We shall tomorrow have all the army in the Elector's country, so that if he will ever think of terms it must be now; for we shall do our utmost to ruin his country."—*Coxe*, i. 369.

In fact, while yet wavering, he was secretly informed of the great force that his master, King Louis, had determined to send for his assistance and support, and he knew that what was destined for his support if he remained true would avail for his punishment if he proved false. His was one of those light, helpless natures that shrink from an estimate of existing operative forces, and attach themselves to the cause favoured by fortune—and France ever had been the favourite of fortune. A sad check reminded him that fortune was fickle; but with fuller assistance from powerful and fortunate France, it might have been otherwise,—and now France was to throw her vast resources into his cause. For the security of himself and the remnant of his army, he left the Danube and ascended the Lech, where he encamped round the strong fortifications of Augsburg. Marlborough examined his position with greedy eyes, but it was not to be attacked unless he could obtain a sufficiency of battering-guns. For these he had depended on the resources of the Margrave of Baden, who failed to furnish them. This want crippled him severely, and we find him writing on the 31st of July to Godolphin: "For want of cannon, and the King of France doing all he can to succour the Elector, we shall be obliged to take such measures as our wants will permit us; but you may be assured, if they give us opportunity, we shall be glad to come to a battle, for that would decide the whole, because our troops are very good. But our misfortune is, that we want everything for attacking towns, otherwise this would have been dated from Munich."¹

¹ Coxe, i. 373.

Master of the capital and of the strong places, Marlborough could have put in execution the ban of the Empire, deposing the Elector, and placing the government of the country and the command of the troops at the disposal of the Diet. The mode of punishment left to him was to Marlborough a sorry alternative to the glorious task of seizing the capital and dragging the Elector out of his stronghold. He announces the final resolution of the Elector to cast his lot with France, and then—"However, we are in his country, and he will find it difficult to persuade us to quit it. We sent this morning 3000 horse to his chief city of Munich, with orders to burn and destroy all the country about it. This is so contrary to my nature, that nothing but absolute necessity could have obliged me to consent to it, for these poor people suffer for their master's ambition. There having been no war in this country for above sixty years, these towns and villages are so clean that you would be pleased with them." And again: "You will, I hope, believe me that my nature suffers when I see so many fine places burnt, and that must be burnt, if the Elector will not hinder it."¹

He occupied his force meanwhile in taking the secondary fortifications scattered around his post at Neuburg, Rain, Aich, and Friedelberg. He was thus gradually acquiring such a miscellaneous collection of cannon as might in the end serve him in crushing the Elector by the capture of Augsburg; but it was in the decrees of fate that this end was to be reached by another method.

The position occupied by each of the two main

¹ Coxe, i. 376, 377.

bodies of the army of the allies becomes now of vital importance. Marlborough was, as we have seen, wandering over Bavaria, punishing the country for the sins of its rulers, and at the same time foraging for his army. He was unable to take the strong places; but he was himself too strong to be attacked by the residue of the enemy's army left in Bavaria: he had marched in detachments as far up the Danube as Neuburg and Ingolstadt. Prince Eugene found that Donauworth and the Schellenberg formed a strong post for his camp, and to that point he gathered all his force. Marlborough and he were thus some forty miles distant from each other when both received the astounding intimation that a new French army of 35,000 men was on the march to join the Elector of Bavaria, and that on the 6th of August this force had reached the valley of the Danube, and formed a line of communication with the main body of the Elector's army in Augsburg. King Louis, on hearing of the affair of the Schellenberg, had shown his old prompt decision. Such a disgrace, though small, must not be permitted to remain as a precedent. It must be overwhelmed in achievements that would hide it out of sight. Hence a force not to be resisted—a force such as France alone could raise and send to distant regions as rapidly as the unencumbered traveller could pass from place to place—was sent to end the controversy. It was led by two Marshals of France, illustrious as conquering commanders—Tallard, who was first, and Marsin, who was second in command.

When this was known Prince Eugene rushed hastily to Marlborough's camp, and the two had an anxi-

ous discussion on their common peril. It was the nearest thing that ever befell Marlborough to those overwhelming surprises that were his own favourite kind of exploit. It was clear to both these keensighted commanders what the large army between them would do. It would first fall on Eugene's separate force, and when that was destroyed, march upon Marlborough's.

The immediate impulse of Marlborough was to carry his army across the Danube and join Prince Eugene by a rapid march; and, as usual, the immediate impulse speedily settled into a resolute purpose. Everything depended on rapidity of movement; but in the interval, ere the march could begin, he had an opportunity for completing a separate arrangement of importance. He felt the want of a base of operations—of strong places, where he might find rest and support in a possible hour of need. Donauworth and the Schellenberg were valuable for this end; but it was desirable to have at least one more stronghold, and he arranged that the Margrave of Baden with his own force should remain behind and besiege Ingolstadt. This was in several respects a satisfactory adjustment. It rid the two great commanders of one whose pertinacious assertion of superiority of command through precedence in rank had been troublesome and even dangerous, while the Margrave himself had the satisfaction to rule over a camp which, if small, was yet entirely his own.

At four o'clock in the afternoon of August the 11th the advanced columns of the army reached Donauworth, and the junction was so far completed as much to reduce the danger of Eugene's force

being destroyed. It is told, as a testimony to the rapidity of the whole operation, that on the dawn of the 12th the baggage and artillery arrived after they had on the previous day been carried twenty-four miles. We have seen that the Schellenberg is a hill running as a sort of spur from the mountain-range bordering the plain of the Danube, across that plain, and dropping abruptly into the river. Descending the river, after crossing the Schellenberg, the flat plain recommences, and may be trodden for several miles. It then breaks up into slightly broken ground, such as naturally adapts itself for war. No army remains on a perfectly flat plain to risk a battle if it can find ground where there is shelter and impediments to an enemy. On the other hand, if an army encamps on high ground, and makes lines, it is not likely to be attacked by an enemy of anything approaching to an equality in strength. Hence we find that great battles are generally fought on ground where there is no decided and palpable inequality, and where the superiority of ground goes no further for either army than the opportunity of dexterously seizing casual advantages; and into such ground the great plain on the right bank of the Danube breaks itself up, about twelve miles below Donauworth and the Schellenberg.

Hochstadt was then, and still is, a considerable town. It has a *Schloss*, or castle; and though we hear of the capture of the castle by the French, with so many men taken prisoners in it, yet it was no fortress, but merely a large house, incapable of separate defence, but useful to troops occupying the district. The great highroad of the Danube runs through the

town; and that the present highroad is identical with, or but slightly varies from the old, may be inferred from the enclosures on either side, and the old houses with windows protected by heavy iron bars. Blenheim, about four miles up the river, where it makes a curve, is on by-ways off the great road. By comparing old representations with its present condition, it may be seen that, like many of the agricultural villages in that part of Bavaria, it was not a town in anything but the number of its dwellings and inhabitants. The houses were stuck one against the other, as personal convenience or chance dictated—the whole lying like so many stones casually dropped beside each other on a road. It will be seen that this peculiarity had a signal influence on coming events.

It would appear that Marlborough expected to occupy Blenheim, his adversary being posted at Hochstadt. When he saw that adversary posted in Blenheim also, we may believe that the sight did not appal or disappoint him. It was one of those instances where his fertile genius drew fresh resources out of the thwarting of his original idea of the course before him. He saw at once that the enemy had grasped more than that enemy could hold.

On the evening of the 12th all was on the selected ground—men, horses, equipments, provisions, and artillery. The terrible anxiety and the desperate effort to remove its cause were over, and there was peace, order, and repose in the tired hosts. Marlborough's was ever an orderly and decorous camp. He had no doubt many social waifs in his ranks, but the bulk of them seem to have come from the class

who either were conformists with the unexact conditions of the Church of England, or were fired by the zeal of dissent from it, or conformed with the more exacting Church of Scotland. Their great general encouraged religious observances. There had been a solemn thanksgiving for the victory of the Schellenberg. When the tired troops had gone to rest, Marlborough had the Sacrament administered to him. Next day, in the anxious interval, Marlborough, having ranged his own force, waited for the intimation that at the head of every regiment the service of the Church of England, or of that communion to which the chaplain belonged, was celebrated. Thus the army became for the time a vast congregation devoting itself to Christian worship. The numbers marshalled on both sides have of course been matter of doubt and dispute. It is generally admitted that the French exceeded the allied force by at least ten per cent. It is certain that the French had by far the larger park of field-guns.¹

Marlborough and Eugene took each the separate command of his own army—Marlborough's being a mixed force of English and allies subsidised or self-supporting, while Eugene's was the army of the Empire. As Marlborough had by far the larger force, it was determined that he should take the front and

¹ It is satisfactory to be able on this point to refer to the following analysis of the two forces, made by one whose ambition it was to achieve a special skill in estimating the numbers engaged in the chief historical battles of the world, and who perhaps may be counted the highest authority on all such questions:—

GERMANS UNDER PRINCE EUGENE.

92 squadrons	} 20,000 men.
11 battalions (Prussian)	
7 " (Danish)	

open the battle; and in this arrangement he felt the assurance that whatever befell, his illustrious companion in arms would do precisely what ought to be done. Marlborough's system of warfare was ever the aggressive; and when the ranks were completed, he ordered an instant march on the ground occupied by

UNDER MARLBOROUGH.

14 squadrons	} English.	} Called sold to Uppen, or Mercenaries.	} 36,000 men.
14 battalions			
72 squadrons	{ Dutch, Danes, Lineburg Fran- conians, Wur- temburgers.		
66 battalions, 178 squadrons = 56,000 men.			
52 cannons.			

FRENCH.

84 battalions	} 60,000 men (of whom 12,000 Bavarians).
147 squadrons	
90 cannons.	

—Kausler: Atlas der merkwürdigsten Schlachten, p. 108.

The estimate by an officer in high command on the French side who was in the battle was—

THE ENEMY (i.e., MARLBOROUGH AND EUGENE).

182 squadrons.
63 battalions.
60 cannon.

ON THE FRENCH SIDE.

140 squadrons.
84 battalions.
94 cannon.

As appropriate to this estimate, we are told: "Leurs bataillons étoient d'un tiers plus forts que les nôtres, et, pour nos escadrons, il n'y en avoit pas un de cent maîtres combattants, mais beaucoup de soixante-dix et de quatre-vingts. Les troupes Bavaoises et les miennes étoient les plus complètes, car un bataillon françois parmi l'autre ne pouvoit être compté qu'à trois cent cinquante."—Mémoires de Feld-Maréchal Comte de Mérode Westerloo, i. 297.

the enemy. To reach this it was necessary to cross the small river Nebel and its marshy banks. Among the many errors attributed to Tallard is the negligence, almost inconceivable, of believing without examination that the marsh was as impassable as those who had been in the small affair on the same ground between Villars and the Imperialists, remembered it to have been some months earlier.¹ There are few parts of the surface of the earth where the conditions of to-day are so uncertain to-morrow, as the great diluvial plain of the Danube. It is troubled by distant unknown powers. The melting of the snow on the Tyrolese mountains, and the swelling or subsiding of the Salz, the Iser, the Inn, and other affluents; and the pilgrim seeking his favourite walk by the side of the grand river, may find that a few minutes have sufficed to divide it from him by a roaring torrent. It was at the same time a consequence of far too great dependence on the concentration of his troops in the villages that Tallard did not carry his front line down to the border of the Nebel and its marsh, but left room on his own side for Marlborough's army to form on good firm ground.² Westerloo

¹ "On compta trop sur un marais qui couvroit le front, et que l'on avoit trouvé impraticable au mois d'octobre de l'année précédente: il auroit fallu l'examiner de nouveau, et l'on auroit vu qu'il n'en étoit pas de même au mois d'août et qu'il étoit presque entièrement desséché.—Mém. du Marquis Maffei, ii. 41.

² Mérode Westerloo, with the hesitating criticism natural to one who feels that it has been his misfortune to serve under an incompetent commander, shows how ground could have been taken where the hostile force could have found no room: "Nos gardes du camp de la droite furent postées au delà du village de Bleinheim, notre gauche s'étendit trop loin, à mon avis, mais c'étoit à la française, pour imposer; car l'Électeur, avec ses troupes, alla jusqu'au village de Lutzingen, où il prit son quartier, et avoit devant lui les bois qui s'élargissoient

tells us how he was wakened by his valet with the information that the enemy was at hand; and rubbing his eyes, as one questioning if he sees aright, he satisfied himself that there they were arranged in perfect order on his own side of the morass. The sun shone bright on both armies, and, in the true spirit of the soldier, the general describes in a few glowing words the beauty and splendour of the scene wherever the sunshine fell.¹ The morning was slightly hazy. The enemy were not prepared for the suddenness of the attack, and they were not conscious that they must fight, until they saw the heads of the columns on the ascent from their own side of the river. Hence the French troops were disposed of to some extent under the influence of a surprise; and to this is attributed a tendency to seek immediate security by finding cover or getting behind impediments, instead of studying the motions of those

vers Norllingen. Dans cet endroit-là, nous avions devant nous, au centre, ce terrain marécageux, un ou deux hameaux, et des moulins sur ce petit ruisseau. Le village de Bleinheim étoit environné de haies et d'enclos de jardins et prairies, avec des planches ou palissades. Ce camp n'étoit pas mauvais, mais, si nous nous fussions avancés de huit cents ou mille pas de plus, nous aurions fait un front moins étendu, en appuyant toujours notre droite au Danube et notre gauche au bois, en occupant la plaine qui étoit plus étroite dans cet endroit."—I. 295.

¹ "On ne sauroit imaginer un plus beau spectacle. . . . Le plus beau soleil du monde faisoit briller les armes de ces deux armées rangées dans une plaine; de l'une à l'autre, on distinguoit la couleur des régiments; une quantité d'officiers généraux et d'aides de camp couraient et alloient çà et là; c'étoit un coup d'œil magnifique et impossible à décrire. Mais ce fut bien autre chose un moment après." As in the shape following: "Pendant que tout cela se passoit de mon côté, les ennemis, qui avoient traversé le marais si facilement, avoient taillé en pièces sept bataillons français, tout nouvellement levés, qu'ils avoient trouvés tout seuls dans le centre, sans qu'il en soit échappé un seul homme. Ils étoient dans la plaine, et n'étoient soutenus par personne."

—P. 301 *et seq.*

who were to attack, and forming themselves so as most effectively to meet the attack. The village of Blenheim was strongly ditched and palisaded, and there a large portion of the French army was suddenly posted.

The autobiographer already cited—somewhat neutral in his sympathies, though he belonged to the defeated army—describes the occupation of Blenheim by so large a portion of the army as an act not done under specific command, and hints that it was the resource of troops heartless and timid seeking a refuge. He shows also that much of the peril and death in the great tragedy was caused by what he sarcastically calls the laudable custom of the French in setting on fire whatever they found to be combustible.

The character of Blenheim, as of the other towns and villages in the great plain, may account for the peculiarity that the troops found their way within its shelter not by distinct military organisation but in a mob. These collections of houses, rather than towns, are evidently at present such as they were then, though the historical causes of their peculiarities have long passed away. They were the resource of a people rich in agricultural produce, but so cursed by war that they dared not keep their wealth in rural homesteads. Hence the farmers of a district and their workers agglomerated themselves into groups of barns and houses. At dawn the workmen may still be seen radiating out from their abodes, all round the unarranged and streetless groups of houses; and in the evening, in the hay harvest, there are to be seen along the paved roads long processions of large waggons bringing home the produce.

Several hours passed ere the passage of the army over the Nebel was completed. The enemy's army filled a long line, inviting attack at various points; but the fighting was concentrated against the fortified village of Blenheim, with its crowd of inmates. It was repeatedly assailed in vain at the cost of many lives; and it was said that the impetuous Lord Cutts, who led the assailants, furiously attempted to tear down the palisades, as an example and encouragement to his followers to force their way through the defences. It appeared, however, that the distribution of forces whence the village had acquired its strength, was a cause of fatal weakness elsewhere. The whole line, from Hochstadt to Blenheim, was weak, and at some places destitute of defence by infantry. Marlborough directed a charge in great force upon the line, and broke it. A strong transverse force thus separated the right of the French army from the centre and the left. The condition of inequality in numbers was thus inverted; and in the inversion there was an exaggeration of the proportions, for the allies fought with an army not much above half their own in number. When the inferior force had been sufficiently weakened, Marlborough directed a general charge of cavalry, which scattered them to the right and the left, those on one side seeking safety in Hochstadt, and on the other finding no refuge save by swimming the Danube, where multitudes were drowned. The commander, Tallard, had to surrender himself to the Prince of Hesse; and it is said that, being near-sighted, he mistook the force under the Prince's command for part of his own army.

The battle was now gained, but there remained an affair of solemn import to both sides. Twelve thousand men were shut up in the village of Blenheim. All efforts by their commander, the Marquis of Clairanbault, to obtain instructions from his superiors, had failed. Perhaps he did not know the fate of the day. However this may have been, he mysteriously disappeared. It was supposed that he had crept out of the village to seek instructions at his headquarters, and that, getting entangled in the rush of fugitives from the main army, they swept him into the Danube, where he was drowned. What made the strong defence of the position against the early attacks, now only kept its holders in a trap, where they were surrounded by the whole victorious army of the allies. They showed vigour and courage, but to no possible end. They attempted to make sorties, after the manner of invested garrisons; but there were essential differences that baffled such attempts at the outset. The fortress has outworks, within the protection of which sallying-parties can form so as to fall on the besiegers in battle array; and when it is necessary, they can again come within the shelter of the outworks. But the unfortunates in Blenheim could only run out in the vain hope of forming themselves in rank outside, and with the certainty of being immediately slain. It was a period of awful suspense to the assailants as well as the assailed, for the solemn question arose, Was the victor, according to the hard law of a soldier's duty, to do the worst he could against the enemy if that enemy continued obstinate? The whole of Marlborough's army surrounded the village, with not only the cannon orig-

inally in its possession, but those taken from the enemy. The troops in the village were so closely packed, that we hear of the small area of the churchyard affording relief to the pressure. Must the victor then pound the village in a cannonade, and crush the twelve thousand under its shattered houses? ¹

This gloomy juncture is enlivened by an incident exemplifying the indomitable elasticity of the spirit of the Frenchman, and his instinct for the enjoyment of the mocking spirit of his intellect under the most tragic conditions. Two figures were seen to approach the doomed crowd. One was a French officer, the

¹ By high modern professional authority, it is held that 4000 is the utmost number of troops that could with safety and advantage have been posted in such a place as the village of Blenheim (Kausler, *Atlas der merkwürdigsten Schlachten*, p. 112). A contemporary military critic, however, who was in the service of the Elector, and must have known everything that could be known of the affair, says: "C'est une chose inouïe qu'un corps de 26 bataillons et de 12 escadrons, qui étoit dans un village, se soit rendu prisonniers de guerre."—*Mém. du Marquis Maffei*, ii. 41. We have this from Westerloo: "Le premier feu de l'attaque de ce village ne fut pas plutôt commencé, que les deux lignes d'infanterie, qui faisoient vingt-sept bataillons, et qui avoient ordre de soutenir le village, à ce que je dois croire, y entrèrent fort prématurément et mal à propos. On y fit encore entrer douze régiments de dragons, pied à terre, quand dix bataillons non-seulement l'auroient pu défendre, mais l'auroient mieux défendu que toute cette armée qui auroit été de bien meilleur usage ailleurs. Elle fut là pour se perdre et perdre le tout; elle s'embarrassoit tellement, que les hommes, étant entassés les uns sur les autres, ne pouvoient se remuer et ne pouvoient recevoir ni ordre ni commandement. Après cela pas un seul coup des ennemis n'étoit perdu, tandis qu'ils ne pouvoient atteindre l'ennemi que par le feu de ceux qui se trouvoient en avant, et ne pouvoient pas toujours tirer, tant par lassitude que parce que leurs armes crevoient. Ceux de derrière étoient tués sans pouvoir atteindre l'ennemi, et, s'ils vouloient tirer, ce ne pouvoit être que sur nos propres gens et sans voir où. Outre cela, comme nos troupes elles-mêmes mirent le feu au village, ces pauvres gens se grilloient parmi les toits et les poutres des maisons qui tomboient de toutes parts, et se brûloient au milieu de cette petite Troie qu'ils s'étoient allumée eux-mêmes."—I. 303, 304.

other in his uniform proclaimed himself an officer of rank in the British army. Was this latter a prisoner brought to them by one of themselves? Were they then able, at the conclusion of that disastrous day, to say they had made prisoner a British officer? Such was the tenor of the grim merriment in which the two were received. The British officer was Lord Orkney, accompanied by one of the French prisoners, to represent to his fellow-soldiers the hopelessness of their position, and to beseech them to surrender.¹ It was a bitter alternative. The true soldier, in the choice of his profession, has thrown his life as a stake that may be taken up at any time. He cannot accept the alternative of saving it by anything that has the faintest tinge of grudging it. Yet there may be occasions where one who has responsibility for many other lives as well as his own, may seek and find the more honourable alternative in the act that must preserve all; and such surely was the condition of those who consented to the surrender of the village of Blenheim. There is little doubt that the surrender was a mighty relief to Marlborough, looking to the horrible work that had to be done if the imprisoned mob continued defiant.

The dealing against the common enemy of a blow such as this, when its weight was weighed against that of the dubious, hesitating achievements of the

¹ Voltaire, who enjoyed this characteristic incident, had it from Lord Orkney: "Un de ces officiers nomme Des Nouvilles, revint a cheval un moment après dans le village avec Milord Orkney du nom D'Hamilton. 'Est-ce un Anglais prisonnier que vous nous amenez?' lui dirent les officiers en l'entrant. 'Non, messieurs, je suis prisonnier moi-même, et je viens vous dire, qu'il n'y a d'autre part pour vous que de vous rendre prisonniers de guerre.'"—*Siècle*, ch. ix.

expertest generals of the age, is expressed emphatically but unconsciously by Marlborough himself when he writes to his Sarah,—“My dearest life, if we could have another such day as Wednesday last, I should then hope we might have such a peace as that I might enjoy the remaining part of my life with you.”¹

No doubt the victory was heavily paid for in the vital expenditure that all victories demand. The loss on the side of the victors was estimated at 4500 killed and 7500 wounded.² The dead on the other side were not to be counted—no one could tell how many had been swept away by the Danube. In intercepted correspondence, alarmists on the enemy's side were found estimating the missing at 40,000. But there were several causes besides death or wounds tending to thin the enemy's camp. The prisoners amounted to between thirteen and fourteen thousand. Of these, above a fifth, being Bavarian Germans, joined the Imperial army. Uncontrolled by the presence of a French force and the organisation of a Bavarian army in alliance with France, the Elector's scattered troops found their way in groups to the camp that represented, or went nearest in that day to representing, their Fatherland. The garrison of Ulm capitulated and surrendered on terms. They were both French and Bavarians, to be escorted to Strasburg; but the bulk of the Bavarians refused to be taken into French territory—or, as an Italian officer in the Bavarian service puts it, they deserted.³

¹ Coxe, i. 9.

² *Ibid.*, p. 4.

³ “Mais la plupart des Bavaois deserterent en chemin pour retourner au Bavière, comme avoient fait paraillement ceux qui étoient avec l'Electeur.”—*Mém. du Marquis Maffei*, ii. 56.

The Elector had now been taught that in preferring the service of all-conquering France to the defence of Germany in her hour of peril, he had made a mistake. He sought safety in French territory, and reached Strasburg with a rapidity that savoured of flight. The Electress fled from Munich; but she found herself among more dangerous neighbours when she was hurried on by torrents of fugitives pursued by enemies whose blood was heated by victory and the fierce excitement of the chase, and returned to her home. It is not to be supposed that, in this foolish flight, she expressed an apprehension that the British and German troops under Marlborough's command were a restoration of the hordes of Attila; but her conduct was an example of the panic-fright that shot through all the territory immediately influenced by the result of the battle.¹

¹ On the 21st Marlborough writes to his wife, "The poor Electress has taken five of her children with her, and is following her husband." And again, on the 25th: "The Elector of Bavaria has sent his wife and children back to Munich, and this morning, by a trumpet, has writ to me, and in it a letter to the Electress, open. It has made my heart ache, being very sensible how cruel it is to be separated from what one loves. I have sent it to her by a trumpet of my own, with assurances that her answer shall be carefully delivered to the Elector; for I take pleasure in being easy when the service does not suffer by it."—Coxe, i. 13.

Critical readers of history are well acquainted with a method by which those who have to tell an unwelcome story mask the misfortunes under successful details. There has been a gallant and effective charge—an assault has been successfully resisted—more or less, here and there, corps and divisions have covered themselves with glory, &c., until the total sum of the conclusion is covered over, and bungles pass unnoticed. The first announcement of the battle of Blenheim, in the 'Gazette of Paris,' is a fair specimen of this method:—

"Les Anglais chargerent de nouveau la Gendarmerie qu'ils rompirent: son Altesse Electorale la rallia, et avant esté soutenue par la cavalerie, les ennemis furent encore repoussez. Cependant, l'aile gauche

Thus the two illustrious leaders who expected to be successively and separately attacked by a superior force, found by a signal fatality that their enemy, by his blunders, conferred on them the opportunity for

et l'infanterie commandée par le Marquis de Blainville, avoient en cinq différentes charges, toujours enfoncé, et rompu la droite des ennemis avec un grand carnage, gagné l'artillerie et pris beaucoup d'étendards et de drapeaux: de manière que l'Electeur crut la victoire certain. Mais il apprit en ce temps là, que la cavalerie de l'aile droite ayant esté attaquée par les ennemis avec de nouvelles forces, ils l'avoient entièrement défaite, et qu'ayant passé la ruisseau ils au avoient rempli de leurs troupes le terrain qu'elle occupoit. Alors son Altesse Electorale voyant le nuit approcher, et craignant d'estre enveloppée, jugea qu'il estoit temps de faire retraite. Il envoya avertir l'infanterie, qui estoit encore auprès du village, au nombre de vingt-sept bataillons, avec quatre régimens de dragons, et qui avoit toujours battu les ennemis, de se retirer, ce qu'elle pouvoit faire aisement. Néanmoins ceux qui la commandoient s'opiniâtèrent à garder leur poste, ce qui causa la perte de la bataille; les ennemis ayant jusques là, perdu beaucoup plus de gens que l'Electeur de Bavière, mais ils en furent dédommages avec avantage par la prise de ses bataillons, et des quatre régimens de dragons, qui furent ensuite obligés de se rendre. Le reste de l'armée par les soins du Maréchal de Marcin, se retira en très bon ordre, sans qu'aucun bataillon ni escadron se rompit, faisant de temps en temps volte-face et des furieuses décharges sur les ennemis qui ne les suivrent pas longtemps, on arriva de cette manière à Lauingen, où une partie de la cavalerie de la droite s'estoit ralliée avec quelque infanterie. Les bagages n'ont pas esté perdus ainsi que les ennemis l'ont publié, et ils n'ont pris que vingt-cinq à trente pièces de canon."—Gazette, 6th September, pp. 418, 419.

Voltaire will not readily be understood as abridging the same story when he says: "Environ douze mille morts, quatorze mille prisonniers, tout le canon, un nombre prodigieux d'étendards et de drapeaux, les tentes, les équipages, le général de l'armée et douze cents officiers de marque au pouvoir du vainqueur, signalerent cette journée. Les fuyards se disperserent; près de cent lieues de pais furent perdues en moins d'un mois."

"L'étonnement et la consternation saisirent la cour de Versailles, accoutumée à la prospérité. La nouvelle de la défaite vint au milieu des réjouissances pour la naissance d'un arrière-petit-fils de Louis XIV. Personne n'osait apprendre au roi une vérité si cruelle. Il fallut que Madame de Maintenon se chargeât de lui dire qu'il n'était plus invincible."—Voltaire: Siècle de Louis XIV., ch. 19.

executing that powerful tactic upon himself.¹ That two separate battles were fought on that memorable day is typified in the custom of one half the world speaking of the battle of Hochstadt, and the other of the battle of Blenheim.

The deficiencies and blunders of the French commander have been amply exposed by his countrymen.² But the one fundamental error—the error that, in itself irretrievable and the source of all the others—was, when a general of Catinat's capacity, with such troops as he commanded, permitted himself to be within fighting reach of Marlborough, with an army such, in discipline and physical condition, as Marlborough commanded. There were many reasons on the French side why a battle should be delayed. It was believed that Villeroi would soon bring up a reinforcement, and that such a line of communication would be laid between the Rhine and the Danube as should enable King Louis, drawing on his inexhaustible resources, to surround Marlborough's force, and

¹ The effectiveness of the policy of striking an enemy in detail became popularly known from its high favour with the great Napoleon, and especially from his reliance on it for success in the Waterloo campaign.

² The author of the 'Life of Marlborough,' printed for the great Napoleon, "Point d'éclaireurs, point de gardes avancées, point de précautions pour disputer avec succès le passage du ruisseau; et plus que tout cela, un mauvais ordre de campement et de bataille, qui faisoit des armées combinées, des armées séparées,"—so completely separated that "on eût crue qu'elles ne combattoient pour la même cause," so was "toute disposé pour être battue" (i. 348, 349). The author, however, discredits, and with reason, a story told by Voltaire, how Tallard, on the evening before the battle, wrote to Villars an account of the position of both armies, with his proposed plan for fighting; that Villars sent the document to his brother-in-law De Maisons, with the comment that if Tallard carried out his intentions, he would be certainly defeated; and that the whole was shown to King Louis and made public (i. 361).

cut off his retreat. The allies would in the meantime be starved, for they already felt a pressure on the resources of the accessible parts of the country. All these considerations should have suggested to Tallard the prudence of getting out of reach by establishing a fortified camp, or going behind strong lines; but the same considerations constrained Marlborough to the alternative of immediate battle.

The letters written from the field by British officers—those of their great leader especially—have a tone rather of weighty responsibility and solemn thankfulness than of exultation. There is more of the duty of using rightly the great success achieved than of the vaunting glory of victory. The defeat of the enemy is treated as the destiny in the hands of a higher Power, in whose dispensations the army and its commanders are the humble instruments; even in the acknowledgment of a higher Power there is but that giving of the glory which seems to express a reflection of its lustre still brightening the human instrument. So Marlborough, whose announcements of success had chiefly to be written in the French language, of "*la grande victoire, que le bon Dieu a donnée aux hauts allies,*" leaves no trace that a thirst for further glorious victories is created. All the fondest hopes founded on the greatness of the success—on the terrible destruction that has overtaken the enemy—rest on the prospect of a speedy end to the war. But all possible resources must with all possible promptitude be made available to the completion of the work by driving all the French forces out of Germany. It is no longer worth while to waste time and force on so petty an affair as the siege of Ingol-

stadt. The fortresses will drop in when the power that holds them is paralysed, and all further blows must be aimed at the heart. It seems to have been at this point that the idea dawned on Marlborough of marching to Paris. Meanwhile even the greatness of the success carried with it its burdens of anxiety, chiefly in the possession of some 17,000 prisoners, many of them Bavarians, whose countrymen surrounded the invading army.

The news of the great victory swept through the British islands a pulsation of exulting joy that presented a rare phenomenon among a people usually exempt from flushes of excitement. But it had been a mighty relief. Depressing news had gone about, telling that the overweening commander had taken his fine army across the backbone of Europe into distant regions inhabited by enemies, and the mystery of what had become of all was solved by news that gladdened the country from the palace downwards. In Windsor Castle the window of the library is shown where the queen sat in pensive reverie when it was announced to her.

The occasion may be said to have instituted a feature peculiar to this reign, in the repeated solemn thanksgivings within the Cathedral of St Paul's for victories in the great wars. There were in all eight of these, and the queen was present at all save the last, when her infirmities would have rendered the toil oppressive. There was a happy coincidence in victory following victory just when the noble dome had been completed for rendering the national thanksgivings, with accessories unmatched throughout the world in the full conjunction of simplicity

and decorum with splendour. It has been noticed that the place of the queen in these ceremonials had something in it that hinted at a more vitally ecclesiastical claim of supremacy than that of the Crown's authority over benefices and dignities. Within the house of God she took precedence of His servant the bishop. "The council declared that the cathedral for that day, being the queen's chapel royal, the seats were to be disposed of and all the arrangements made by the Lord Chamberlain. The queen's throne was exactly as in the House of Lords, about three feet higher than the floor of the choir, covered with a Persian carpet, and a canopy upheld by iron rods fastened to the organ-loft, about fifteen feet high, with an armed chair on the throne, with a footstool before it, and a desk for the queen's book, covered with crimson velvet richly embroidered and fringed with gold, and with a cushion thereon of the same." The Lords and Commons, the great officers of State, the ornamental part of the great corporation of London,—all graced the ceremony, and rendered it almost a duplicate of the coronation.¹

¹ Milman, 'Annals of St Paul's,' p. 429, and Proclamation there cited. The recollection of these august and memorable ceremonials might possibly enhance the amazement that overtakes every stranger in London when he beholds the statue of Queen Anne perched on its hideously broken pedestal, surrounded by its shattered group of symbolical figures before the noble tympanum of the cathedral. It is like a portion of the devastation that used to cause a shudder in passing Leicester Square, but it might have been the apology there that the district was in a manner consecrated to moral filth, occasionally lifting itself to the dignity of crime. It may be pleaded that by law and constitution there is no one responsible for the preservation of the Queen Anne statuary group in front of St Paul's; but is it creditable to the ecclesiastical hierarchy and to the city of London that this defect in our institutions should be in a loathsome shape flared in the eyes of the world? It might be expected

Among the other symptoms of joyous excitement, the poetic muse naturally had a revival, with vitality enough to send forth at least one effort destined to live, "The Campaign," by Addison. It has many happy images, but aptest of all was a description of heroic calmness and self-possession in the storm of battle adorned with imagery from a recent scene of storm and terror at home.

"So when an angel by divine command
With rising tempests shakes a guilty land,
Such as of late o'er pale Britannia past,
Calm and serene he drives the furious blast ;
And, pleased the Almighty's orders to perform,
Rides on the whirlwind and directs the storm."

Though on the great occasion the muse soared to this height, yet it also crawled in abundant doggerel. It might not be counted an irreverence either to the hero or the bard to cite some specimens of the humble tributes offered from the literature of the illiterate, yet such an anthology scarcely seems congenial with the occasion. But a comprehensive author of the day, who measured swords with Pope as poet and Burnet as historian, seems to demand that his ambitious claim should be tested. The 'History of England,' in three folio volumes, written by John Oldmixon, places its author as the historical champion of the Revolution policy against Brady

that of the warm and worthy citizens who pass this object in the way to their devotions, some one might at his own personal cost abate the nuisance. It is not recommended by a traditional effort of the Cockney muse to find inspiration in the queen's posture, thus :—

"Poor Queen Anne, she is left in the lurch,—
Her face to the gin-shop—her back to the church."

and other vindicators of what is called the Tory policy of the later years of Queen Anne's reign, though what was written in this cause would have conveniently fitted itself to the occasion had the Stewart line been restored. With this explanation, a passage from a very ambitious song of triumph is dropped into a note.¹

¹ "A pastoral Poem on the Victories of Schellenburgh and Blenheim, obtained by the Arms of the Confederates under the command of his Grace the Duke of Marlborough over the French and Bavarians. With a large preface, showing the antiquity and dignity of Pastoral Poetry. By Mr Oldmixon. London, 1704."

The pastorality consists in Menelaus,

"The father of the field, whose artful strains
Sweeten our sorrows and relieve our pains,"

assenting to the request of Thyrus to

"Come to this shade, and by Sabrina's stream
Of wonders sing, and Churchill be thy theme."

Perhaps the most ambitious, if not the best part of his song :—

"Just to himself and his intrepid troops,
In heaven and them he centres all his hopes.
With safe and speedy pace he moves to scour
The Swabian woods, and curb tyrannic power :
The Gallie wolf and the Bavarian boar
Wide waste commit along the Danube's shore,
But tremble as the British lions roar.
Till then the rebel and his false ally
Assembled Europe's distant power defy ;
Pale terror seizes 'em at CHURCHILL'S name,
Conscious of present guilt and future shame :
In vain to cities or to bogs they fly,
And with their rising ramparts reach the sky.
No works for Britons are too strong, no walls too high.

The thunders and the sulph'rous blaze of war
But warm the Britons whom 'twas meant to scare ;
Dauntless they rush amid the flames and smoke,
And death's dread fury by their rage provoke."

The Roman eagle has "fallen so low that he despairs to rise" :—

"But see—at CHURCHILL'S awful name he springs
Aloft, and spreading his imperial wings,
With steady eye to prove his rightful sway,
Awhile he gazes on the burning day,
Then towers above his foe, his right maintains,
And drives the rout obscene from the ethereal plains."

The first material effect of the battle was to neutralise Bavaria. The Elector was in Flanders; and the Electress, as regent, had no alternative but compliance with the demand to disband the Electoral army and conclude a peace. The French army wandered rather than retreated through the Black Forest to the Rhine. Ulm surrendered, but Landau was still an obstacle, and Prince Eugene remained before it with a besieging force. In an estimate of the military and the geographical conditions, it was decided that the valley of the Moselle was the best road to the heart of France; and the first stage in that direction was the taking and occupation of the ancient Roman city of Treves, with its fortifications and its serviceable old stone bridge over the Moselle. Meanwhile, Marlborough visited Berlin and Hanover; and in his polished diplomacy, following on so decided an acquisition of practical strength, he succeeded in obtaining from Prussia a contingent of 8000 men, to be employed in the meantime in assisting the Duke of Savoy. Quickly followed the honours appropriate to so great an achievement. At home a gift was made to Marlborough of the Honour and Manor of Woodstock, where now stands the palace of Blenheim. He obtained from the Emperor the signal distinction of being inaugurated a Prince of the Holy Roman Empire, as ruler and possessor of the principality of Mindelheim, on the tract of plains and low hills that may be seen from the steeple of the cathedral of Ulm.

CHAPTER VII.

The Union.

INFLUENCE OF THE SCOTS INDIAN AND AFRICAN COMPANY IN CARRYING THE UNION—ONE OF THEIR VESSELS SEIZED IN THE THAMES—SEIZURE IN REPRISAL OF THE ENGLISH SHIP WORCESTER IN THE FIRTH OF FORTH—BOARDED AND THE CREW SECURED BY THE OFFICIAL STAFF OF THE SCOTS COMPANY—SUSPICIONS OF PIRACY AGAINST THE CAPTIVES—CONVICTION THAT IT WAS PERPETRATED ON ONE OF THE VESSELS OF THE SCOTS COMPANY—TRIAL FOR PIRACY AND MURDER—EXECUTION OF GREEN THE CAPTAIN AND TWO OF THE CREW—LOVAT AND “THE SCOTCH PLOT”—HOUSE OF LORDS’ CONDUCT OFFENSIVE TO THE SCOTS—BRINGS ON A QUARREL WITH THE COMMONS—UNION BECOMING URGENT—NEW COMMISSION APPOINTED—COMPLETION OF THE UNION.

WHEN we left the question of an incorporating union between England and Scotland, the completion of the project appeared to stand farther off than ever, since discussion seemed only to afford an opportunity for discovering obstacles insuperable. Among the points at issue both in the Scots Estates and at the meetings of the Commissioners, Scotland’s great adventure in the Indian and African trade naturally came up along with the question how far England would accept it as balancing in favour of Scotland the privileged companies of England. The dealing with the matter, though

slight and casual, was significant enough to be ominous of mischief. In the course of the conference, the Scots Commissioners, on the 27th of January, offered to the English a condition that the privileges of "the Company of Scotland trading to Africa and the Indies do continue and stand in full force and vigour in favour of the proprietors of the said Company, after the union of the two kingdoms." To this there came from the English side the chilling answer: "Their lordships say, it has been found by experience that two companies existing together in the same kingdom, and carrying on the same traffic, are destructive of trade; and are therefore of opinion that to agree to this proposition will be inconsistent with the interests of Great Britain." The Scots reiterated their claim, suggesting the alternative of purchasing the pecuniary interests invested in the Company, when further discussion was closed by the queen's letter of adjournment.¹

Through a succession of incidents unparalleled in history, it befell that this part of the national quarrel was to be fought out by the rival companies.

A vessel belonging to the Scots Company, named the *Annandale*, put into the Thames, either to be repaired or to raise the full complement of her crew. The vessel was to go on a trading voyage to the East Indies. Those who had control over the vessel did not commit the folly of beginning the voyage in England; that would have been, whether she was manned by Englishmen or Scotsmen, an invasion of a monopoly which no one questioned, so far as trading from England was concerned. The vessel was

¹ Bruce, cccxi. 3.

to return to Scotland, and then it would be as independent of English law or monopoly as if it had been owned in Amsterdam or Hamburg, and had returned to its own port, after having been for a time in English waters. The East India Company, under their prerogative powers, seized the vessel. There was evidence sufficient to prove that it was to be employed in the trade sacred to the East India Company, and it was within the jurisdiction of the English courts of law. At the conclusion of a litigation, where we are told that parties were amply heard, the *Annandale* was forfeited. This was not only deemed to be a notable national insult, but was a serious addition to the calamities that had befallen the Scots Company. Of course the mischief that must follow such an act was strongly urged by the Scots ministers on the English Government; but it was one of the many occasions when the law had to take its course, be the political results what they might. In England, and scarcely anywhere else at that period, the subject's legal rights were absolute, as against prerogative and diplomacy. It was a homage to personal liberty and rights for which the nation had sometimes to pay heavily, as on the occasion of the arresting of the ambassador of the Czar for debts to London tradesmen.

Just as the Scots were roused to fury, the astounding news swept over the country that a vessel belonging to that India Company which had flung injury and insult on Scotland had been driven into the Firth of Forth by foul weather, and was seeking shelter under the coast of Fife. This vessel was named the *Worcester*. The Scots Government were

relieved of unpleasant difficulties and responsibilities by the enterprising gallantry of the gentleman who held the office of secretary to the Scottish Company "trading to Africa and the Indies." Without any farther authority than this his official position, he determined to try to seize the Worcester. Accordingly, one sunny afternoon in August, he found a body of friends, nineteen in all, in whom he could place absolute reliance, and the matter was to be attempted after the manner of a frolic of a dangerous and possibly tragic character. There seems to have been much curiosity among the citizens of Edinburgh to see the vessel that had done business in the mighty deep at distant India; and the crew were accustomed to exchange hospitalities with visitors. The secretary with eleven of his followers sought admission as visitors, and they were the more welcome that they brought with them great store of spirits, wine, and fruit. Other two boats, arriving separately, brought the rest of his followers; and it was the policy of the three detachments to appear to have arrived fortuitously, and to know nothing of each other. It was inferred from the respect paid by his followers to the secretary, that he was some great man, and the officers of the Worcester were ambitious of making his acquaintance. This suited his project, and he had them all in the cabin joining his followers in a thoroughly jovial revel,—it was the secretary's design to seize them there, and, as he said, "render the common sailors headless." The secretary was bidding good-bye, his galley was waiting for him, when suddenly, his party being outside the door, closed it on the officers of the Worcester, and fairly entrapped

them. The assailants were thoroughly armed with hidden weapons, and they found no difficulty in seizing the ordinary crew in detachments. The secretary states that the crew were double the number of his own party—they must have thus numbered thirty-eight—a crew in its size inferring business beyond the mere handling of a trading vessel in that day.

So was accomplished a feat that, if we look on it in its abstract nature, without estimating precedents and consequents, was as absolute an act of treachery as the massacre of Glencoe, and, indeed, closely resembled the strategy of that tragedy. As it befell, no one was even wounded, but there might have been bloodshed to any amount; fortunately the affair was free of any such tragic embarrassment. The name of the hero in this brilliant affair was Roderick Mackenzie. Whatever may have been his capacity as a secretary, he proved himself to be a skilful and intrepid military commander, yet his name is unknown to fame, and is only to be found after diligent search.

The hatches, gunroom, and other "keepings" being closed, and sealed with the seal of the great Scots Company, a force under the order of the Company was drafted on board, so that it might be unnecessary to hold the crew of the Worcester, against whom no man then felt enmity, in bondage. It was whispered that this was not a just act of retaliation; that the Worcester, instead of belonging to the great English East India Company which had seized the Annandale, belonged to another company of recent formation, which the India Company was treating despitefully in its usual tyrannical way. But the

affair was not a paltry rivalry among trading companies. The seizure of the Worcester was a blow dealt by Scotland against England. It was essentially a *casus belli*, taking that diplomatic definition in its exact sense, not as a ground for declaring war, but as an act inferring the existence of war—an act such as a nation does not commit unless it is already virtually at war, whether the war has been declared or not.

But fate had still further stimulants in store for feeding the fires of national wrath blazing throughout Scotland. News were received of the capture of one of the Scots Company's vessels, and the slaughter of all the crew, in distant Eastern waters; and that the perpetrators of the crime were Englishmen required little evidence to gain belief. By a concurrence that seemed to imply some more solemn agency than mere chance and coincidence, the crew of the Worcester in their tipsy orgies had afforded glimpses of dark secrets, hinting at deeds of violence that let them see the finger of God in their present troubles.

Daniel Defoe, with all his sound English sense, had a fervid hankering after special providences and other preternatural interventions in human affairs, especially when they pointed to tragic conclusions; and on this occasion his ears were greedily open to all rumours of incidents tending to the revelation of a special providence, the while decorating the rumours as they came with his own solemn meditations thus:—

“Some of the ship's crew, whether in their drink or otherwise, let fall some words implying that they had been pirating, and particularly some very suspicious discourses, intimating that there had been

blood in the case. . . . From a little to more—from dark expressions they fell to downright quarrelling and calling one another names, which there seems to be good reason to believe might in part be true on both sides; for some of them, however innocent of this matter, had been, it seems, guilty of wickednesses of other sorts black enough. This folly of theirs came at last to such a height that it could be no longer concealed; for it became the public discourse that they had been guilty not of murder and piracy only, but of uncommon barbarities; and not that only, but that it was particularly on a Scots ship and Scotsmen—particularly Captain Drummond and his crew.

“At length it was brought to the ears of the Government, and as the public justice of all nations is obliged to take cognisance of such horrid things as were here suggested, the fellows were examined, and they frankly confessing, Green and five of his men were taken up. The positive evidence was only two negroes, but others so corroborated what they said, and circumstances concurring to make almost everybody believe the fact, at least in that hurry, they were, upon a long hearing, severally found guilty of piracy and murder.

“There are sometimes such crises, such junctures in matters, when all things shall concur to possess, not a man but even a nation, with a belief of what at another time they would not believe even upon the same evidence; and in this, man seems actuated by a sort of preternatural influence, as if invisibly directed to bring to pass some particular thing pointed out by Providence to be done for reasons of His own, and known only to His inscrutable wisdom.

"Just such a case this seems to be. The circumstances of Green and his crew were very unhappy for them; their being put into Scotland, where they had no manner of business—no distress to force them in; their being seized by the Company; the men falling out among themselves, and being the only instruments of detecting what no one ever could have charged them with; their staying there when they might have gone and had no more business there—from whence some alleged that they had no power to depart. These and more concurring circumstances, which were observed by the most curious—and some of which were noted in the trial—seemed to jump together so visibly, that all people seemed to acknowledge a wonderful and invisible hand in it, directing and pointing out the detecting some horrible crime, which vengeance suffered not to go unpunished."¹

It would be difficult to find, in the history of the administration of justice, a trial conducted with more solemnity and deliberation, and bearing on the face of the proceedings more anxiety for fair dealing, than that of Captain Green and his crew. The first step in it was a long investigation by the Secret Council.² As the result of this preliminary investigation, the Council gave order that Thomas Green, the commander of the Worcester, and eighteen others from among the subordinate officers and seamen, ultimately limited to fourteen, should be brought to trial before the Justiciary Court of the Admiralty, for the crimes

¹ Hist. of the Union, 4to, 1786, pp. 78-80.

² See "The Trial of Captain Thomas Green and his crew at the High Court of Admiralty of Scotland, 4th Anne, A.D. 1705."—St. Tr., xiv. 1199 *et seq.*

of piracy, robbery, and murder. The judge of the Court of Admiralty representing to the Council the importance of the case, desired that he might have "assessors" or skilled advisers to assist him; and there were to this end named Lords Loudon and Belhaven, Home of Blackadder, and two judges of the Court of Session, Dundas of Arniston and Cockburn of Ormiston. There were six counsel for the defence. An ordinary reader of the trial in the present day would probably be surprised by the quantity of inappropriate learning scattered through it in citations from the 'Corpus Juris,' and from eminent foreign commentators on that majestic collection,—as Mathæus, Monocheus, Carpzovius, and Andreas Gailius. There was something in this parade of learning beyond either the reality or the display of signal impartiality in the trial. Where the law of nations was concerned, England was driven out of the provincial strongholds of her common law. This process of ejectment was at the time in rapid operation; for the country could not protect its advancing foreign commerce unless it admitted the quick and simple processes of the general mercantile law of Europe, founded on the civil law, the simplicity and flexibility of which fitted it for immediately dealing with notes of hand, bills of exchange, policies of insurance, and other novelties in advancing commerce. Especially was the practice in questions of shipping and navigation a creature of this law—in other words, of the imperial law which the Romans had left for the service of all the civilised world. Excepting the feudal customs for the tenure of land rights, the Scots had no other law but the civil, and this was an occasion for displaying their

mastership of its mysteries before the world, and especially before the lawyers of England less endowed in the same accomplishments.

It had been found on an examination by experts sent to search and unload the Worcester, "that the goods aboard her were not stowed as merchant goods used to be, but were found in the hold in such confusion as if taken by piracy and no otherwise." It seemed to be put beyond doubt that the Worcester with part of her crew had fought another vessel, and though it was not proved which was the aggressor, the Worcester was victorious, and the crew of the other were killed and thrown overboard. Of what was heard during the scuffle, enough was reported to identify the victims as natives of Britain. This affair occurred on the coast of Malabar.

The scattered evidence leading to this conclusion revealed the source of all the difficulties of the case. This was the prevalence of piracy at that period, as not only the sole business of a community of avowed sea rovers and robbers, but as affording inducement to the professed trader to transact casual piracies as any dispute on the waters national or personal gave him the opportunity. Persons who have occasion for closely observing the administration of criminal justice in this day, believe the condemnation and punishment of a purely innocent person are, in this country at least, next to impossible, but that it is a thing very likely to happen that a habitual criminal is punished for some act not committed by him, and he accepts his fate with equanimity, and possibly a touch of thankfulness that the eyes of justice took the direction that they did take, instead of

tracking him more accurately in to some more serious disaster. Many a sea commander at that time could feel with Green, that "conscience doth make cowards of us all."

And somehow conscience seemed to aid the conclusion that suited the feeling of Scotland. A vessel called *The Speedy Return*, belonging to the great national company, had been long absent. Those who were most interested and anxious about her fate heard through indefinite rumours that she had fallen into the hands of pirates, and that her commander, Captain Drummond, and all his crew, had been murdered. Was this, then, the feat that the Worcester had performed? Suspicion strengthened into a fixed certainty; and by a strange fatality the convivial and penitential talk of the crew of the Worcester had appeared to accept the same conclusion. Whether it was that they could not or that they dared not tell who they were who had been fought with, they said nothing to contradict the story about Drummond, but rather gave hints to confirm it.

The preliminary adjustments for the trial began on the 12th of February, the trial itself began on the 5th of March, and the jury rendered their verdict on the 14th. It involved guilt against all the accused except John Reynold, the second mate, who was found to "have been ashore at the time of the action libelled." Here, then, were fourteen men to be condemned to death. Perhaps the judges shrank from the exhibition of so many human beings hanged at once—perhaps they felt that the affair would have less the aspect of a triumphal sacrifice to national vengeance were the executions adjusted deliberately

and in detail. Green with four others were sentenced to suffer on the 4th of April; other four on the 11th of April; other five on the 18th. The place of execution was the open beach adjoining Leith, within high-water mark.

The tragic history was nearly closed, when a story was told to account otherwise for the disappearance of Captain Drummond. He had fallen into the hands of pirates, not on the Malabar coast where the Worcester had seized a vessel, but at the great island of Madagascar. The Scots Company's vessel was picking up negroes for the slave market, when "five several persons who afterwards appeared to be pirates, armed with pistols, swords, and other weapons, came on board the said Speedy Return, with a pretence to buy something, and taking advantage of the said Thomas Drummond, Andrew Wilkie his surgeon, and several of the said ship's company being on shore and others working in the hold, the said five persons by force of arms took possession of the said ship, and immediately made a signal, upon which about forty or fifty other pirates came on board." And so The Speedy Return was taken and burnt, her commander Captain Drummond remaining in Madagascar. Such was the purport of an affidavit made at Portsmouth on the 31st of March. More than twenty years afterwards, when the affair had been obliterated by other political influences, a book confirming the material part of this story in an account of Drummond's adventures in Madagascar, scarcely attracted attention as a historical revelation.¹

¹ Madagascar; or, Robert Drury's Journal during Fifteen Years'

This trial is often cited as exemplifying the value of, and the danger of deserting, the great principle of the English law called the *corpus delicti*—the proving separately by full evidence that a crime, especially if the crime charged be murder, has been committed, as a separate process of evidence from that which brings it home to the guilty party. The English law in its especial fastidiousness, when the charge is for taking life, has established the preliminary process of a coroner's inquest. But it was found necessary to make the practice of piracy, or the adoption of the profession of a pirate, in itself a crime. Indefiniteness was pleaded in Green's case. The references to Drummond and The Speedy Return were collateral matters casually fitting themselves to the evidence; and against the substantive charge in the indictment it was pleaded that there was no "name, designation, or any other sign or evidence by which the ship alleged to be seized might be particularly distinguished, nor yet the persons' names alleged to be murdered, or to whom the ship and goods robbed did belong." But it was maintained for the Crown that under this plea of indefiniteness, "if in the road of Leith, before hundreds of spectators, one ship should invade another, destroy her men, seize her goods, and sink the vessel, whereby none of all these could be condescended upon, there could be no criminal libel upon it because of the defence of indefiniteness."¹

The criminal law of Scotland had been driven to indefiniteness in dealing with the Highland and

Captivity in that Island: 1729. See also the 'Gentleman's Magazine for 1769, p. 17.

¹ St. Tr., xiv. 1242.

Border reivers in their depredations and slaughters. Yet even the loose lessons taught by such practice could hardly impart more indefiniteness to the dealing with cases of piracy than a great oracle of the English law has definitely expressed: "The crime of piracy, or robbery and depredation upon the high seas, is an offence against the universal law of society,—a pirate being, according to Sir Edward Coke, *hostis humani generis*. As, therefore, he has renounced all the benefits of society and government, and has reduced himself afresh to the savage state of nature by declaring war against all mankind, all mankind must declare war against him; so that every community hath a right by the rule of self-defence to inflict that punishment upon him which every individual would in a state of nature have been otherwise entitled to do, for any invasion of his person or personal property."¹

The Worcester was so heavily armed as to supply her captors with eight guns, afterwards mounted on a fort for the protection of the Firth of Forth. Any positive evidence of her use in piracy is aided by silence where contradiction or intervention might have been expected. Here is a vessel apparently seized and forfeited, and no one appears to have any claim on her but the crew. She did not belong to the old East India Company, and that she was originally freighted by a rival company is only put hypothetically. Among the protestations against the seizure of the vessel and condemnation of the crew, no worshipful public company or body of merchants claiming ownership ventures to appear.

¹ Blackstone's Commentaries, iv. 21.

Two of the condemned crew confessed that they had committed piracy and murder. So far they admitted what, on the whole evidence as we now have it, was hardly to be doubted; but when they said their victims spoke as Scotsmen, and they understood them to be Captain Drummond and his crew, we know that they must have been endeavouring to propitiate their enemies. And, indeed, to this end they gave what was more than compensation for the Portsmouth affidavit. There was in the interval between condemnation and execution a rapid correspondence between Whitehall and Holyrood. Scotland was tossed with rumours and suspicions. It went abroad that the English fleet was to blockade the Forth so far as to stop communication with France as a preliminary to the coercion of Scotland. And the suspicion so far took palpable shape in Scotland, that the Council demanded the presence of the commander of an English man-of-war that he might explain his conduct in searching certain vessels in Scottish waters, with the satisfactory result that, after treating the order with something like defiance, he had to admit, apologetically, that a mistake had been made by an officer under his command. One point was yielded to the urgent pressure from England. The first execution was postponed from the 4th to the 11th of April. This became a critical day for Scotland. Farther postponement inferred farther action. Whatever action was taken must pass through the Scots office and forms—England was helpless for any civil operations in Scotland,—she could only make war, and to that all things seemed to be drifting.

Had the law not taken its course, we have in the after-history of the Porteous Mob a recital of what the history of Edinburgh on the 11th of April 1705 would have been. On both occasions there was like preparation in the flocking of multitudes of men into Edinburgh from distant parts of the country, as persons who were to take part not in a merely local, but in a national affair. But Captain Green and two victims selected from the crew were hanged on the sands of Leith amid the sanguinary rejoicings of the mob.¹

¹ The following letter, among the recent acquisitions in the British Museum, is interesting, not so much for any new light it affords, as because, having been written by Chancellor Seafield to Godolphin, it is a testimony to the close eye kept by this great statesman on all the influences at work in Scotland:—

“EDINBURGH, *April 11th*, 1705.

“MY LORD,—This morning the flying packet concerning Captain Green arrived. Her Majesty's letter was very gracious, and we being in expectation that a letter would come about that time, the night before appointed all the councillors that were in town, which were about ten or eleven in number, to be at my house at eight o'clock in the morning. They brought me accounts that the people were convening from all places, and that there was great appearances of a tumult. All we could do was to acquaint the Magistrates of Edinburgh, and generally to be careful; and, in the meantime, we read her Majesty's letter, and a committee read those papers and affidavits that were transmitted, and reported what was contained in them to the Board. We considered that we were but few in number, and divided in opinion, and her Majesty's principal servants were all absent—nothing that I could do could persuade them to attend the two last meetings of council. However, we thought it our duty to go to the Council Chamber together, that what we did might have the greater authority. As we went along the streets the whole people and mobb were crying for justice, and desired we might grant no reprieve. After wee were some time in council we came to be convinced that there was no possibility of preserving the publik peace, without allowing some that were thought most guilty to be executed, and therefore Captain Green, Captain Madder, and Simpstone the gunner were condescended upon, and we reprieved the rest to the nineteenth instant, and appointed a full council to meet on Tuesday preceding, and I was appointed to write a letter to her Majesty, which I have done and sent herewith. As I was returning home, the people

The three victims seem to have sufficed to quench the national thirst for blood. The other eleven were one by one released, and then dropped quietly into privacy and oblivion, as is usually the way with the criminal classes when they have narrowly escaped the sword of the law.

Scotland has tacitly accepted this affair as a national crime, palliated in some measure by critical political conditions. But we may believe that had any of the Continental powers of Europe trapped Green and his crew when transacting business in the Spanish main, or any other of the favourite hunting waters of the buccaneers, there would have been the question by torture to begin with, while all who

who heard some were to be execute did give huzzas; but at a farther distance, the mobb being informed that a reprieve was past, did first ask me what was done with these murderers. I told them they would have satisfaction very soon; but some of them not believing, they stopt my coach, and those at a little farther distance threw stones. At last I was forced to come out and expose myself entirely to their fury; but when they saw me they fell immediately calm, for I did not in the least seem discomposed, and they separate to each hand, and then went into a friend's house, and none of them offered to follow. The General convened some of the regiments of guards and secured the ports of the town, and then the mob went and attended the prisoners to the place of execution. Many of the city and gentry came and waited on me home to my house, and now all is quiet, and there is no disturbance. Our divisions and factions among ourselves occasion the authority of the Government to be very low, and I have but a very bad prospect of our affairs unless we come to a better understanding after my Lord Commissioner arrives. There are few of the new party have been in town since Mr Johnston was laid aside, so I cannot inform your lordship what they will do upon it. The Treasurer-depute attends very close, and I cannot deny but he gives me assistance. Both parties will be here at the time of the Commissioner coming to town, and I shall endeavour to understand their minds, and shall write fully.

“The magistrates and ministers that did attend Captain Green and the other two that are execute, do inform me that they all three dyed declaring their innocence of the crimes for which they were condemned.

“SEAFIELD.”

escaped the rope would have been chained for life to the long galleys, then employed in the coasting and river navigation of the Mediterranean and the narrow seas.

Another incident of the period, effective in scattering alarming rumours over England, was known as "the Scotch Plot." The Highlanders were to be raised twenty thousand strong in the Jacobite cause. There was to be a great *tinchel* of the deer—a hunting on a national scale—bringing together all the active men of the country with arms in their hands. The project for turning the host of sportsmen so collected into an army was the idea of a great statesman—according to Celtic statecraft—Simon Fraser of Lovat, who was to call out his own clan. He was not its chief according to the administration of the law by the Scots courts, but he was accepted by the people, and all the more beloved by them that he was a fugitive for his crimes from Saxon justice. That the Highlanders, known only as mendicants and marauders, could be rapidly embodied in an effective force, was an idea much ridiculed by the sages of the period. But it was realised twelve years afterwards, precisely in the manner suggested by Lovat—a great driving of the deer. And it was so effective forty years after our present period as to bring its inventor to the block on Tower Hill.

At the crises of the "Forty-five," indeed, the moral gulf between the Celtic Highlander and the Saxon Lowlander had become broader and deeper than it was at our present period. This came, not from any change in the Highlander, but from the progress of civilisation, law, and wealth in the Lowlands. These

elements of progress had their reaction on the necessary conduct of the Highlander, though they made no change in his nature. He was more closely hemmed in among his mountains. Determined not to work for his living if he could lay hold on the fruit of other men's industry, he found the granges and byres and sheepfolds ever more effectively guarded, and this made him desperate and dangerous. As agriculture prospered, too, its fruits became more attractive. The Highlander ate grain and vegetables only when he could get nothing better. And now there was prey for him in butcher-meat close at hand—the flocks dotting the neighbouring fields, the cattle upon a thousand hills.

Simon Fraser of Beaufort, as he called himself, was not yet quite twenty years old. He was, however, "young in years but in sage council old," if it be lawful to apply Milton's noble antithetic appreciation of his contemporary Henry Vane to one who was a powerful combination of ferocity and dissimulation. On his own side of the Highland line he was as thorough a savage as any Roderick Dhu who had never gone farther from his lair than the most available foraging ground, and he had the subtlety of Fouché or Talleyrand. He was accomplished, too, and could grace a Court without much exertion.¹ He had two great objects in life: the one to succeed to the chief peerage of the Fraser family as Lord Lovat, the other to be chief of the clan Fraser; and

¹ A revered friend of the author, many years ago departed, asked Mountstuart Elphinstone if he believed there had ever been another man endowed in such perfection with the united qualities of ferocity, cunning, and plausibility as Lovat. The Indian statesman answered "Yes; he knew an Affghan chief who was his absolute duplicate."

he attained both. For the peerage he trimmed his sails towards Whitehall or St Germain's as the political atmosphere suggested. The other, and far more important dignity, came to him from his own people, who were not bound by the absolutely feudal rules of Lowland hereditary succession in the adjustment. Merit had its influence in the selection, and the merits of Lovat as a leader of Highlanders to their most dearly cherished objects were egregious. There was an heiress of the house of Lovat. He approached her and appealed to her with all available blandishments; but those who were responsible for her protection shifted her beyond the radius of his influence, and events showed that they acted judiciously in so doing.

On some genealogical ground, not easily traced, he thought he might do something for his claims by becoming the husband of the widow of the Lord Lovat whose death had made room for a successor, and he resolved to effect this object after his own fashion. He sent the *crosstier*—popularly called the fiery cross—through the glens; and that symbol of absolute obedience to the call of strife or danger clustered round him some three hundred ruffians. They surrounded the house of Beaufort where the widow and a body of relations, dependants, and protectors abode with her, and kidnapped the whole party. The lady he carried to his safety retreat of Eilan Agus, an isolated rock passing up through the central depth of a roaring river, whose lateral waters chafed and tossed against the precipices of a deep mountain gorge.

Simon, knowing well enough that a forced marriage

was liable to annihilation, resolved to secure himself by violating her, judging that thus she and her friends would be at least as eager for the marriage as himself. But his plans were not to be a success. There gradually arose so powerful an apparatus of hostility against him, that had all his enemies in the Highlands suddenly become his friends it must crush him. The Secret Council, the chief tribunal in Scotland—especially the tribunal that dealt with State criminals too strong for the common courts of law—was busy in preparation for war against Fraser of Beaufort and his followers. Hence he found it expedient to go abroad beyond the reach of British justice. A mystery that many of his countrymen tried to pierce, shrouded him down to the time of his return to frighten both England and Scotland with the plot. It was a strong belief among those who professed to be best acquainted with his motions, that meanwhile he had taken orders in the Church of Rome. The belief leant to his adoption rather of the regular than of the secular branch; and it was noted that one having so many crimes to set right, found it convenient to have a confessor and absolver ever at hand, and never disturbed by scruples.

When Simon Fraser next came into notice among his countrymen, it was, to the astonishment even of those who knew him best, to announce the following project for a new revolution for restoring the house of Stewart. He had solemn promises and obligations from the several Highland chiefs to raise 10,000 men among their retainers. He professed to have obtained by personal negotiation with King Louis an auxiliary force of 5000 men, who were to be

landed at Dundee, the easiest access to the north Highlands; while, to perplex Government, a nominal force of 500 were to land in the wild district round Ben Nevis, whence they would find their way to the country of the Frasers. Simon Fraser made his approaches with such signal cunning that he converted himself from the position of an exiled outlaw steeped in vulgar criminality to that of a diplomatist with the policy and destinies of sovereigns in his hands. He easily reached the ear of Mary—of the gentle Mary of Este, that queen of a sorrowful lot, the widow of the exiled King James, and mother of the Pretender. She took the whole affair to King Louis personally. Sick of the world and devoted to retirement as Queen Mary was, she could command the immediate consideration and sympathy of the mighty monarch who was the terror of Europe. She could ever touch the great redeeming feature of his character—his sense of chivalry. It had been at the service of her husband, it would remain at the service of her son, and was doubly at the service of the suffering woman. There was a strong temptation in France to encourage any project that might carry Marlborough and his army home. Lovat was put in the hands of, and fully heard by, the Marquis of Torcy and other advisers of the Crown. He boasted, as we have seen, of interviews even with the great Louis; and he had effected so much that his assertions were believed. One sees through all, however, that practical French statesmen thought the 10,000 Highlanders a vain imagination; but they were safe in the conclusion that when the Highland army be-

came visible an auxiliary force would be sent from France.¹

Fraser did not return alone. The French statesmen hesitated to leave in the hands of one man, and he a stranger, an enterprise of so unusual an aspect. They therefore selected as his companion, and virtually as a spy upon his motions, a cadet of an old Scots family who had become naturalised in France. He is territorially identified as the brother of Murray of Abercainry, who had a commission, in the interests of France, to accompany Fraser in his visits among the chiefs. Lovat carried a colonel's commission; and the two documents were prepared with all official solemnity, being under the sign-manual "James R.," and "given at our Court of St Germain's;" while, under the English constitutional usage requiring some poor officer of State to take the responsibility of all acts of regal administration, each was countersigned "Middleton." Another and more ominous shadow haunted the emissaries' steps. Sir John Maclean, an ardent Jacobite of untainted honour, hearing among the exiles something of Fraser's machinations, and

¹ From the French side, the mission, with its result, is pretty well told thus: "Frazer passa en France vers 1702, et se rendit à la cour de Saint-Germain, qui sous la Reine Douairière, veuve de Jacques, était comme du vivant de ce Prince un foyer d'intrigues et de bigotisme—de projets ridicules et d'espionage. Frazer commença par capter la bienveillance de la Reine en se convertissant au Catholicisme. Il déclara ensuite qu'il s'était assuré des dispositions des principaux chefs de clans Ecossais, que ces lords étaient tout disposés à s'insurger en faveur du fils du Jacques II., pourvu que le gouvernement Français leur fournit des armes, de l'argent, et un corps auxiliaire de cinq à six mille hommes. Louis XIV et ses ministres agréèrent ce projet; cependant, avant de songer à l'exécution, ils voulurent vérifier si les assertions de Frazer étaient exactes."—Hoefler, *Nouvelle Biographie Générale*, *voce* "Lovat."

aware of the man's nature, dreaded the commission of some dire treachery among his unconscious Jacobite comrades, and through hardships and imminent perils got himself landed at Folkstone, and found his way northwards.

There were other symptoms of political restlessness. Between the adherents of the Revolution Settlement on the one side, and the Jacobites at the other, there were many important people of uncertain tenets as to whom it was desirable to be assured. To clear away dubieties, a proclamation, issued by the Privy Council of Scotland, offered oblivion and indemnity for those who should ask it, and accept the qualifying conditions. Of course it could not be expected that the officers of the exiled Court, and other exiles notorious for their devotion to Jacobitism, would seek protection in this asylum; but it was noticed that men of mark of this class were drifting northwards, as it was said, with the object of securing the indemnity. At the same time, there were rumours of large sums in gold passing from Holland to Scotland, and of busy purchasing of horses in Ireland for the Scots market.

These threatenings in the air, however, vanished with the failure of the main project. The Highland chiefs would put no faith in Fraser; and his plotting was lost. He took the opportunity, however, ere he was stripped of all availabilities for mischief, to perpetrate a piece of malice against his old enemy, Atholl. He had been intrusted with a letter unaddressed, but speaking of reliance in time of need by him for whom it was intended. It was initialed by Mary of Este, and the seal bore the effigy of her son. On the blank

outside Fraser wrote the address of Atholl; and then he carried the significant bit of paper to Atholl's great enemy, Queensberry, the commissioner of the Scots Parliament, who believed in the document and the meaning imparted to it. We get still further into the complicated reticulation of the plotting of the period. As a weasel watches a rat, so did a man notorious in his day by the descriptive title of "Fergusson the Plotter" keep stealthy watch on the furtive movements of Fraser, exposing them whenever he thought fit; and at last there was no resource for the ambassador of so grand a mission but to sink again into obscurity abroad.

With his departure, the romance—or the farce, if the expression is preferred—of the "Scotch Plot," otherwise called the "Queensberry Plot," vanishes, leaving a sediment of constitutional difficulties. The danger of an immediate Jacobite insurrection vanished with it; but there remained other more serious dangers of a national strife between England and Scotland. By a speech from the throne the queen drew the attention of both Houses to "unquestionable information of very ill practices and designs carried on in Scotland by emissaries from France, which might have proved extremely dangerous to the peace of these kingdoms." There was, at the same time, a royal message to the Secret Council of Scotland, requiring them to make inquiry into the affair. In England, the House of Lords began a busy investigation. It was conducted without any consideration for the fact that if offence had been committed, it had been in a separate independent State. It was enough to justify them that persons under

the sovereignty of the queen had been injuriously entreated by persons also under that sovereignty. Scotland was all on fire at once. It was not easy, however, to find a constitutional battle-field where the Scots Estates could fight the English House of Lords. But presently the Scots saw, to their relief, that the august House was grappled by a closer enemy—the House of Commons. The dispute thus opened was a supplement to the Aylesbury Election case. It was an attack by the Commons on the systematic policy of the Upper House to arrogate to itself supremacy over the administration of justice. The debates upon “the queen’s speech respecting the Scottish plot” were not nearly so significant and fruitful in constitutional precedent and principle as the great Aylesbury question; and the points at issue having been examined and commented on as appropriate to that debate, seem to require no more attention here.¹

Before passing on to matters of higher import, it may be right to note two incidents where only two persons were concerned; but the treatment of these two was significant of what Scotland at large might expect. Sir John Maclean was caught in England. He pleaded that he was on his way to Scotland to qualify for the indemnity; but he underwent a threatening examination by a committee of the Lords, whose conduct on the occasion left the impression that but for greater events quickly following, harsher treatment might have been dealt. A certain Scot named David Lindsay was apprehended and tried at the Old Bailey on a charge of

¹ See Parliamentary History, vi. 172 *et seq.*

high treason, in that, being a subject of her Majesty, he had passed into France in defiance of the proclamation denouncing that offence as high treason. He pleaded the indemnity. He was under-secretary of State to Lord Melfort, the prime minister of “King James the eighth king of Scots,” but the Government in Scotland having found reason for propitiating him, had granted him a pardon for all his treasons. The Old Bailey could find nothing fit to be effectively pleaded there, either on the indemnity or the pardon, and passed sentence of death on Lindsay; but the executive was wise enough not to give effect to the sentence by hanging and embowelling. And now we pass from these small events, incident to the perilous position of the British empire, into a broader and deeper current of history.

The English statute, responding by precautions and threats to the Scots Act of Security, contained clauses for furthering an incorporating union as the only conclusive settlement of accumulating difficulties. It provided that Commissioners for England appointed by the Queen under the Great Seal shall have power “to treat and consult” with Commissioners for the same purpose, “authorised by authority of the Parliament of Scotland.”¹ The statute of the Parliament of Scotland completing the adjustment, with the short title “Act for a Treaty with England,” authorises such persons “as shall be nominat and appointed by her Majesty under the Great Seal of this kingdom” to treat and consult with “the Commissioners for England.”²

The next great step was the appointment of the

¹ 3 & 4 Anne, c. 7.

² Scots Acts, 1705, ch. 4.

two Commissions, thirty-one on either side. On the English were the two archbishops; for Scotland there was no clerical element. It was noticed that for England all the members not official were from the peerage, while in Scotland there seemed to be a desire to represent the peerage, the landed commoners, and the burgesses or city interest, in just proportions. At an early stage in the daily business, the English brought up a proposition, about the reception of which they had considerable apprehension, that there should be "the same customs, excise, and all other taxes," throughout the United Kingdom—virtually a resolution that Scotland should be taxed on the English scale. This was easily passed by means of a solvent—due, no doubt, to the financial genius of Godolphin—that, on an accounting and proof of local or personal hardships arising from the adoption of uniformity, compensation in money should be made from the English Treasury. But a more critical point was reached when, on the 24th of April, the Chancellor of Scotland brought forward, among certain preliminary articles, one "that there be free communication, and intercourse of trade and navigation, between the two kingdoms and plantations thereunto belonging, under such regulations as in the progress of this treaty shall be found most for the advantage of both kingdoms."¹ This was frankly accepted on the part of England, and faithfully adjusted in detail. It was felt to be a mighty sacrifice made to exorcise indefinite but formidable calamities in another shape.

At this point in the progress of the Union all interest resting on the excitements of political victory

¹ Proceedings of Courts., Scots Act, xi. 165.

and defeat, or the chances of a bitter war, came to an end. There were a few small incidents in Scotland; but England was placidly indifferent. She had cheerfully paid a heavy stake as loser in the great game, and it would trouble her no more. The statesmen of the two countries knew that the Union must pass unless the Jacobites of Scotland were joined by an invading French army; and that was not a likely casualty while Marlborough was hovering on the frontiers of France. There was a touch of the native haughtiness in this placid indifference of England. No doubt it helped in clearing the way to the great conclusion; but for many years after the fusing of the two nations into one, disturbing events showed that it had been better had the English known something about the national institutions and the temper of the people who had now a right to call themselves their fellow-countrymen. It was expected that Scotland would be quietly absorbed into England—absorptions much more difficult in the first aspect were in continuous progress in Asia and America. The Englishman had great difficulty in reconciling himself to political and social conditions not his own, and his pride prompted him to demand that, if he left England, any part of the world honoured by his presence should make an England for his reception. When expecting this on the other side of the Border, he forgot that the Scot had too much of his own independence and obstinacy. True, the Scot, among the sweet uses of adversity, had imbibed more of the vagrant, and could adapt himself more easily to the usages and temper of other nations. But on the question of yielding up his own national usages and

prejudices in his own country he was as obstinate as his mighty partner.

There was still a world of business to be transacted in details of the unattractive kind that belong to accountants' reports. These may be objects of vital and intense interest—as in the realising of the assets in bankruptcies, where persons immediately interested in frantic excitement hunt out the array of small figures—two, three, four, or five—that tells them whether they are safe or ruined. But the interest is not of a kind to hold its intensity through after-generations. On some items of the present accounting, however, there was, in the principle adopted, a fund of personal and political interest. The heavy debts of England had to be considered—and here, as in all pecuniary arrangements, England was free-handed. The Scots made an effort to retain their African Company; but they fortunately offered the alternative of purchasing the stock from the holders. On the alternative of retention the English Commissioners were resolute in refusal and resistance, but they were ready to entertain the other; and they accepted it in a liberal shape. To have bought the stock at its market value would have been a farce, after the ruin that had overcome the Company. But if it could not be even said that England had ruined the Company, the sacrifice had been made in the prevalence of English interests, and while there was yet a hold on England it should be kept. There was no difficulty in coming to a settlement satisfactory to the Scots, and willingly offered by the English. It was substantially payment of the loss on each share, as calculated from an examination of the Company's books.

The adjustment of the several pecuniary claims thus created in favour of Scotland was simply the collective summation of the losses incurred by all the stock-holders; and when the summation was completed, the total was passed into a capital sum, called the Equivalent. This sum total of the various items, with all their fractions, making up a fractional sum less than £400,000, might be otherwise described as a capital stock held by the shareholders of the old company trading to Africa and the Indies, each to the extent of his loss. Odious suspicions were, down to the present generation, propagated about an item, or group of items, in the Equivalent. A sum amounting to £20,540, 17s. 7d., had been made over by the English Treasury, to be paid to influential Scotsmen as the price of their votes or influence in favour of England. Fortunately this affair was closely investigated by the celebrated Committee of Inquiry that brought on Marlborough's dismissal and Walpole's imprisonment. It was found that the Scots Treasury had been drained; and the crisis of the Union was not a suitable time either for levying money or for leaving debts—the salaries of public offices especially—unpaid. England, therefore, lent money to clear away this difficulty. The transaction was irregular, and had not passed through the proper Treasury forms. It was ascertained, however, that the money so lent had been repaid. In discussions of the affair, before those concerned were fully cleared of the odium of bribery, taunting remarks had been made on the oddity and sordid specialties of the items of payment. Thus the allowance to the Lord Banff was, in sterling money, £11, 2s. It would have had

a richer sound, and perhaps resolved itself into round numbers, in Scots money; but as it is, there is no more to be said against it than that, as a debt in some way due to the Lord Banff, the exact English book-keeper had entered it down to its fraction.¹

There remained a few matters of adjustment of uniformities between the two countries for the advantage of both—such as a fixed standard for rating money in account. The Scots grumbled rather than complained about the English standard being always made the rule, and no reciprocity being offered. But the Scots were left considerable facilities for the use of their own customs for home purposes in pecuniary matters, and in weights and measures. If, for the

¹ Having investigated this point many years ago, I was gratified to find the following testimony to my services by one who, when he had made himself fully master of the facts, could be relied upon for absolute justice, with perhaps a tinge of generosity: "Lockhart of Carnwath, in his 'Memoirs,' made public a list of thirty-two names, with a certain sum of money assigned to each, the entire sum amounting to upwards of £20,000. This actual sum was advanced in an irregular manner, and without the customary forms, from the Treasury of England, as was proved before the Commission of Public Accounts, in 1712, of which commission Lockhart was himself a member; and he infers that the money was designed and applied for the purchase of votes. On his authority, the accusation passed current in that age with the Jacobite writers, and in later years, with those who felt more or less sympathy with them. But admitting his list to be entirely authentic, the inference which he drew from it is shown by subsequent research to be entirely erroneous." In footnote: "See especially the full details and the able arguments of Mr Burton, in his 'History of Scotland,' vol. i. pp. 484-494."—"History of England, comprising the reign of Queen Anne until the Peace of Utrecht, by Earl Stanhope," 2d edit. p. 282. The opportunity may be here taken to note that, in the history of the period there referred to—afterwards incorporated with a History of Scotland from the Roman Invasion downwards—the author had an opportunity of dealing with the Scottish history of this period with a fulness of detail beyond what would be due to the affairs of Scotland in the present book.

general convenience of commerce and taxation, any uniformity was necessary, and the practice of the greater nation was a suitable standard for the other, it was the smaller sacrifice, and to both parties the easier arrangement, that those who were only an eighth part of the inhabitants of the island should yield to the overwhelming majority.

It was in keeping with the wisdom and tolerance prevailing throughout on the English side of the Treaty, that it should be first discussed in the Parliament of Scotland. If this was felt as a courtesy to Scotland it was an expediency for England. All opposition would be in Scotland, and it was well to know it at once, that disputes might be cleared off and a simple affirmative or negative presented to the Parliament of Scotland. The Parliament of England has ever restrained vague oratory by a rule that there must always be a question of Yes or No fitted for a division as the text of a debate. In Scotland on this occasion, as on many others, there was at first a discussion of the general question; and when this along with other sources of information had given the servants of the Crown some assurance of the fate of the measure, there was a separate debate and division on the first article, understood on all hands to be a final decision. The debate was decorated by a work of oratorical art long admired in Scotland, and indeed worthy of admiration anywhere for its brilliancy and power. It was a great philippic, taking that term in its usual acceptation, as expressing a vehement torrent of bitter epigram and denunciatory climax.

The speech of John Hamilton, Lord Belhaven, "On the subject-matter of an Union betwixt the two

kingdoms of England and Scotland," was so amply dispersed in its day, that if a collector of pamphlets on the Union buys them in volumes he will generally find this speech in each volume. It is, no doubt, an effort of genius; but what will confer more interest on the following specimens selected from it is, that it was an attempt to rouse the nation to action at this perilous and momentous crisis, and succeeded only in drawing attention and admiration as a fine specimen of rhetoric art.

"I think I see the present Peers of Scotland, whose noble ancestors conquered provinces, overrun countries, reduced and subjected towns and fortified places, exacted tribute through the greater part of England, now walking in the Court of Requests like so many English attorneys, laying aside their walking swords when in company with the English peers lest their self-defence should be found murder. . . .

"I think I see the Royal State of Burrows walking their desolate streets, hanging down their heads under disappointments, wormed out of all the branches of their old trade, uncertain what hand to turn to, necessitate to become 'prentices to their unkind neighbours, and yet after all finding their trade so fortified by companies, and secured by prescriptions, that they despair of any success therein. . . . But above all, my lord, I think I see our ancient mother, Caledonia, like Cæsar sitting in the midst of our senate, ruefully looking round about her, covering herself with her royal garment, attending the fatal blow, and breathing out her last with a *et tu quoque mi fili.*"

The great remedy for all, is an end of rancorous

feuds and hatreds dividing Scotland; and this calls from him a glowing picture of the land that by union and industry has made itself too powerful to be a safe partner for humiliated Scotland.

"They are not under the afflicting hand of Providence as we are; their circumstances are great and glorious; their treaties are prudently managed both at home and abroad; their generals brave and valorous; their armies successful and victorious; their trophies and laurels memorable and surprising; their enemies subdued and routed. . . . Their royal navy is the terror of Europe; their trade and commerce extended through the universe, encircling the whole world, and rendering their own capital city the emporium for the whole inhabitants of the earth."

The speech was for the country, not for the House. The great points about trade and virtual independence had been conceded by England, and a union was looked to rather as a refuge and a gain than as oppression and plunder. It has even been said that there was some inclination to receive the speech with irony, and Defoe, who seems to have been present on the occasion, gives this account of what followed:—

"Mr Seton, who made the first speech, stood up to answer the Lord Belhaven; but as he had already spoken, the order of the House—viz., 'that the same member could not speak twice in the same cause'—was urged against his speaking, and the Earl of Marchmont standing up at the same time, the Lord Chancellor gave place to him, who indeed made a short return to so long a speech, and which answer occasioned some laughter in the House. The Earl of Marchmont's speech was to this purpose—viz., He had

heard a long speech, and a very terrible one, but he was of opinion it required a short answer, which he gave in these terms: 'Behold, he dreamed, but lo! when he awoke, he found it was a dream.' This answer, some said, was as satisfactory to the members, who understood the design of that speech, as if it had been answered vision by vision."¹

In the debates on the Union, some Scots statesmen found a tactic, infinitely valuable to them in the united Parliament, of voting in a group. They were called the "New Party," and nicknamed the "*Squadron volante*." In the correspondence already referred to, it was good news at St Stephen's when it was announced that the New Party had adopted the Union.

¹ Hist. of the Union. Defoe like other jesters—notably Swift—when chained down to serious history or narrative, seemed to drop his magic wand, as only of use for raillery or sarcasm, and to become verbose and stupid. He lightened up, however, on the occasion in his 'Review.' A ballad, the first stanza of which, if I remember right was,—

"Come hither you dreamer of dreams,
You soothsayers, wizards, and witches,
Who puzzle the world with hard names,
And without any meaning make speeches.
Here's a lord in the North,
Near Edinbro's Forth,
Tho' little's been heard of his name or his worth,
Has seen such a vision, there's no mortal can reach it,
We may challenge the clan of Egyptians to match it."

—Defoe, Review, iv. 69.

A Catechism from an old MS. :—

"There was a man and he made a speech, and it was a man that used to make a speech; and the man that made the speech was a lord, and this lord made a long speech, and at the end of this lord's long speech, behold another lord stood up and made a speech, and this was a very short speech. But the lord that made the short speech was supposed fully to have answered the lord that made the long speech, for he said unto him that he *dreamed*, and it seemed unto him as if it were, but when he awoke, behold it was a dream."—Review, iv. 509.

On the critical division the numbers stood—118 for the article and 83 against it. The remainder of the clauses passed without division, a ready acceptance being given to amendments that were virtually improvements in giving effect to the spirit of details in the Treaty, as where it was adjusted that for trading purposes, vessels bought abroad for trade from the Scots harbours should be counted equivalent to vessels of Scottish build.

There was considerable noisy excitement through the country, the Jacobites ever striving to rouse the people in the great towns to riot and sedition, and when they found that impossible, spreading exaggerated accounts of the effects of their efforts. A mob was raised in Edinburgh, but it was appeased without the loss of a life, and with no other casualty save the frightening of the provost's wife. There were some eccentric movements among the Cameronians, rendered all the more grotesque by the Jacobites taking the leadership in them; and some of the more vehement clergy betook themselves to their own special weapons in the holding of a day of humiliation and prayer. Ere the whole came to a conclusion, a point was yielded to the Presbyterian Church of Scotland. It was passed as a separate Act before the Act of Union was passed—the separate Act stipulating its repetition in any Act adopting the Treaty of Union. It provided for the preservation of the discipline, worship, and ecclesiastical government of the Establishment. It was further provided, that every sovereign of the United Kingdom, on accession to the throne, should make oath in terms of this Act. Hence it happens that this oath is taken immediately

on the accession, the other oaths, including that for the protection of the Church of England, being postponed till the ceremony of the coronation. On the 16th of October 1706 there came a vote on the passing of the "Act ratifying and approving the Treaty of Union." This was carried in the Scots Parliament by 110 to 69.

It was the determination of the queen's ministers for England, to carry the Treaty as it came from Scotland, word for word; and they employed all their strength to do so. It was the policy of the English Government and their supporters in the matter of the Union, to avoid a parliamentary debate upon it clause by clause at St Stephen's. To this end there was an endeavour to give it, as much as in the peculiar conditions could be given, the character of a treaty between two independent powers, each acting through its executive, that executive acknowledging the full power of Parliament to examine, criticise, and virtually judge the act done as a whole, but not admitting parliamentary interference with the progress of the details. If there were an illogicality in the essence of a treaty where the executive—the queen—was the common sovereign of both realms, the difficulty could be discarded as a pedantry in a constitutional community where the sovereign acts through responsible advisers. Some slight touches of apprehension were felt in England when it was seen that the Scots Estates were not only voting the separate articles, but in some measure remodelling them. The Estates were taking the privilege naturally claimed by the weaker party to a bargain in protecting themselves while it was yet time. When all was adjusted, England, as the vast

majority, could correct whatever had been done amiss in the preliminary adjustment of her interests, but poor Scotland would be entirely helpless. There was another reason for tolerating the alterations, in their being directed to the safety and completeness of the legal institutions left in the hands of Scotland untouched, as matters of entire indifference to England; still it weakened the hands of those who desired to evade a parliamentary discussion on the several articles in England that this had been permitted in Scotland, and had become effective in the shape of amendments. John Johnston, who had been for some time Secretary of State for Scotland—a son of the celebrated covenanting hero Archibald Johnston of Warriston—was then in London carefully looking at the signs of the times. He wrote to Scotland, saying, "You may, I think, depend on it that the alterations you have hitherto made will not break the Union; but if you go on altering, it's like your alterations will be altered here, which will make a new session with you necessary, and in that case no man knows what may happen." All is well as yet—on the 4th January—and if there be no more serious alterations the English ministers will be able to give effect to their resolution "to pass the Union here without making any alterations at all."¹

By what had been usually called a message from the throne, the attention of Parliament was directed to the Treaty as it had come from Scotland, but the matter being of supreme importance the queen was her own messenger. From the Commons she had to ask for a supply to meet the Equivalent. To both

¹ Jerviswood Correspondence, 178.

Houses she said: "You have now an opportunity before you of putting the last hand to a happy union of the two kingdoms, which, I hope, will be a lasting blessing to the whole island, a great addition to its wealth and power, and a firm security to the Protestant religion. The advantages that will accrue to us all from an union are so apparent, that I will add no more, but that I shall look upon it as a particular happiness if this great work, which has been so often attempted without success, can be brought to perfection in my reign."¹

The opportunity was taken to imitate the Scots in a separate preliminary Act "for securing the Church of England as by law established." There was a desultory discussion in both Houses, with a result showing the overwhelming strength of the supporters of the Union. In the House of Lords there were some divisions, and among these the largest number of votes mustered by the Opposition was 23, bringing out a majority of 47 by 70 votes for the ministry. The conclusion of the discussion was a vote of approval by each House.

The Opposition, however, did not adopt their defeat. They were preparing to fight the battle over again, clause by clause, when a bill was brought in to convert the Articles of Union into an Act of Parliament. The English House of Commons has always been supremely tolerant to troublesome, and even mischievous, members, so long as they adhere to the forms of the House—forms to be zealously guarded, since they were framed for averting hasty legislation and the possible domination of an intolerant majority.

¹ Parl. Hist., vi. 558.

It was determined, however, that the impracticals and impedimenters should not have their swing on this occasion, when the descent of a French army to gather to its centre the Jacobitism still lingering in the country, darkened the political horizon. Both Houses had a full opportunity for discussing the merits of every word in the Treaty, and the risk of national ruin was not to be encountered because they had not expended all their loquacity, having expected another opportunity.

The tactic for evading the danger was credited to the ingenuity of Sir Simon Harcourt, the Attorney-General. The two Acts of Ecclesiastical Security and the Articles of the Treaty were all recited in the preamble of the bill under the command of the mighty "Whereas." The enacting part of the Act was dropped into a single sentence, shorter than statutory sentences usually are. The Opposition might throw out the measure, and the Ministry with it, if they had strength to do so; but there had been sufficient discussion on the clauses, and there should be no more. In the descriptive words of Burnet, "This put those in great difficulties who had resolved to object to several articles, and to insist in demanding several alterations in them, for they could not come at any debate about them; they could not object to the recital, it being more matter of fact; and they had not strength enough to oppose the general enacting clause; nor was it easy to come at particulars, and offer provisos relating to them. The matter was carried on with such zeal that it passed through the House of Commons before those who intended to oppose it had recovered out of the surprise under

which the form it was drawn in had put them."¹ There was thus but one question, that the Bill do pass, and the Opposition had not reaped encouragement to resist so great an issue. The Lords had in their usual manner of dignified repose managed to discuss the clauses, but it was rather a conversation to see that all was in right order, and that no accident had happened to a measure of so vital moment, than a debate.

On the 6th of March 1707 the queen came to the House of Lords, and in a graceful speech gave the royal assent to the Act.

¹ Parl. Hist., v. 296.

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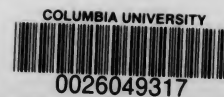
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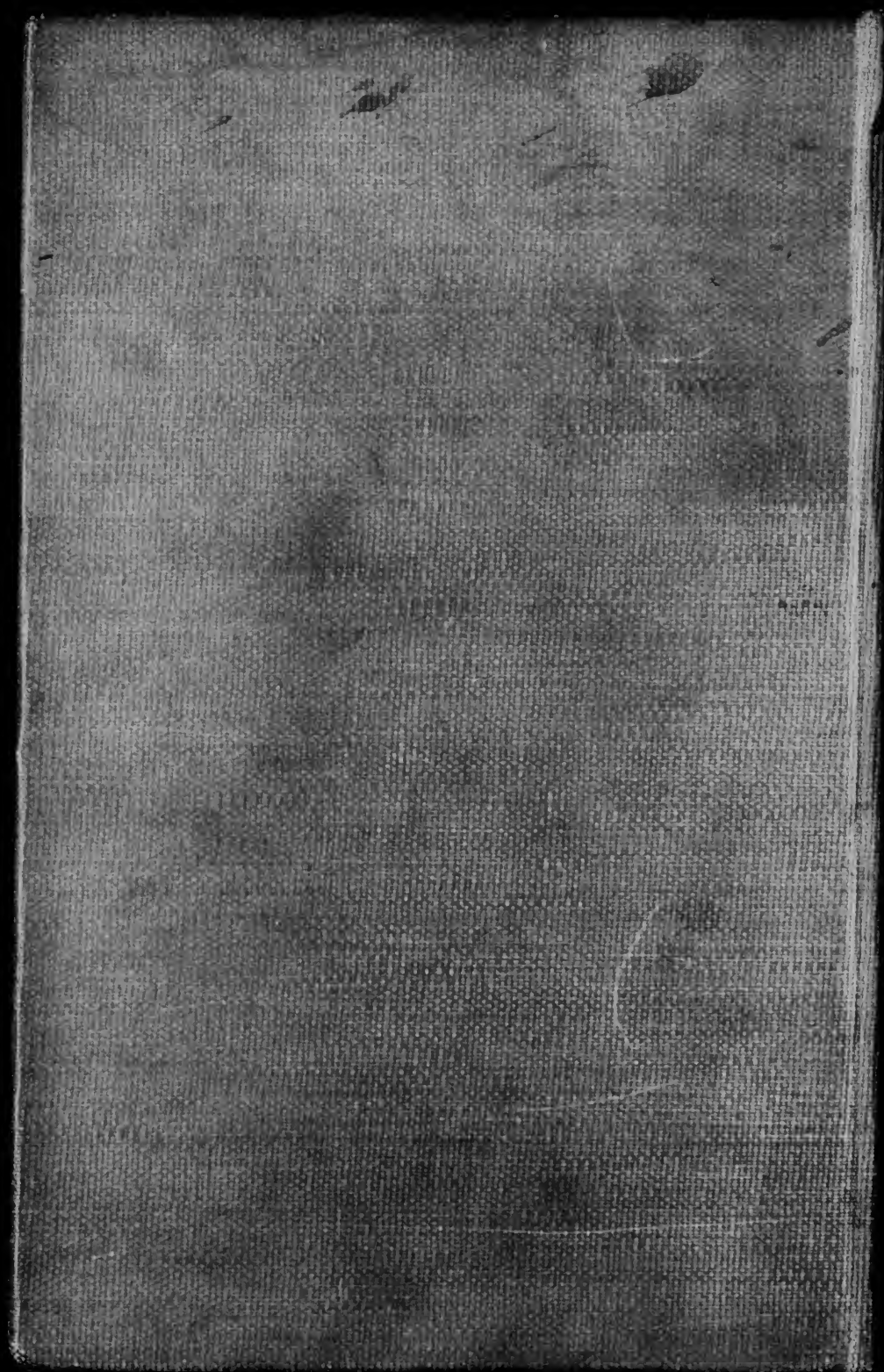
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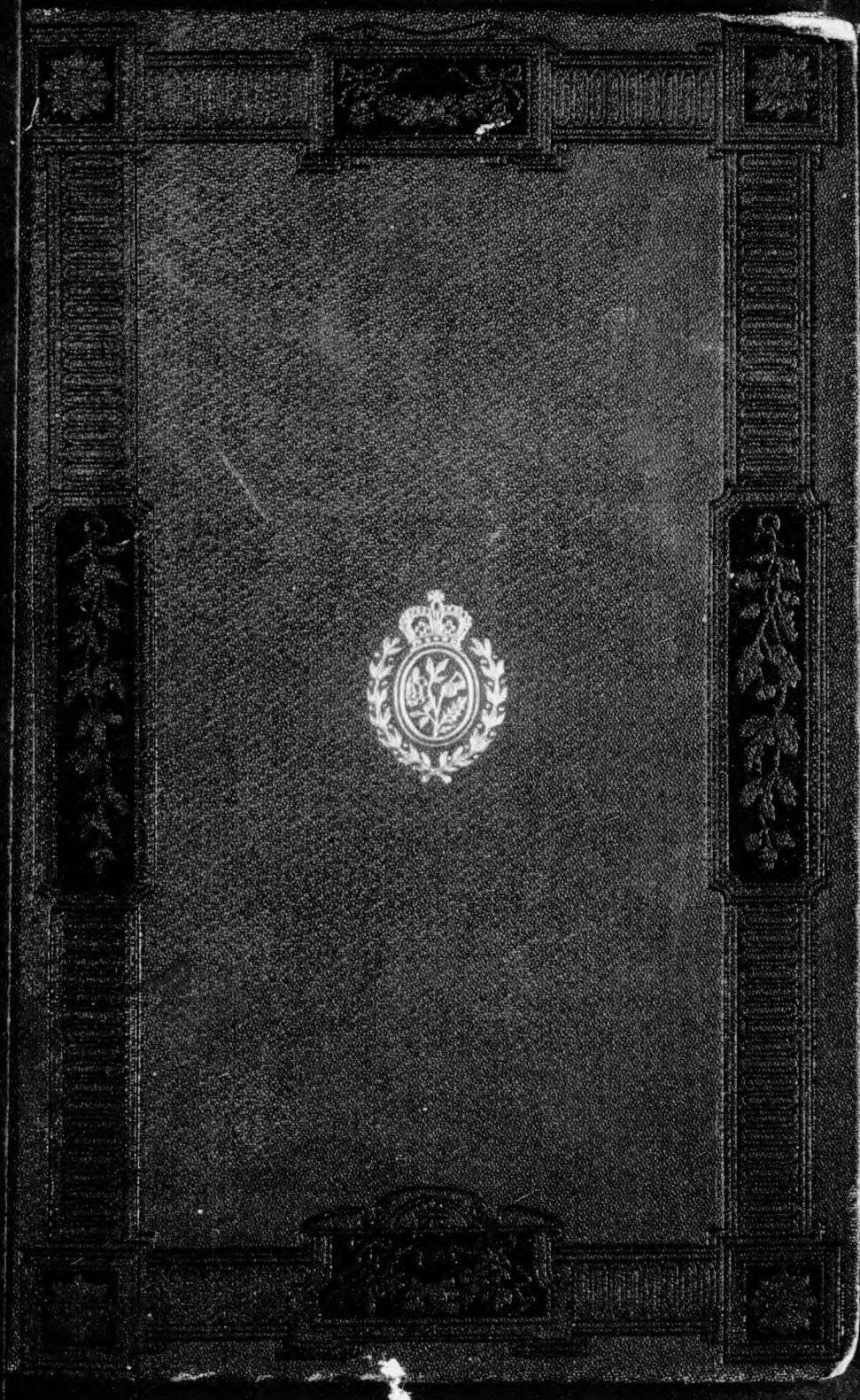
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A HISTORY
OF
THE REIGN OF QUEEN ANNE

A HISTORY
OF
THE REIGN OF QUEEN ANNE

BY
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HISTORIOGRAPHER-ROYAL FOR SCOTLAND
AUTHOR OF 'A HISTORY OF SCOTLAND,' ETC.

IN THREE VOLS.

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CONTENTS OF SECOND VOLUME.

CHAPTER VIII.

The United Kingdom.

PAGE

THE FIRST PARLIAMENT AFTER THE UNION—ALL THE FORMS AND
TECHNICALITIES OF THE ENGLISH PARLIAMENT PRESERVED—
INCOMPATIBILITIES IN MINOR INSTITUTIONS—IRRECONCILABLE
LEGAL NOMENCLATURE—NECESSARY CHANGES—ABOLITION OF
SCOTS PRIVY COUNCIL—ASSIMILATION OF TREASON LAW—
ERECTION OF COURT OF EXCHEQUER FOR REVENUE CASES—
NATIONAL BUSINESS—STATE OF THE NAVY—IMPRESSMENT—
THE COAST UNPROTECTED FROM FRENCH PRIVATEERS—THE
TREASON OF GREGG AND THE RESIGNATION OF HARLEY—THE
FRENCH ATTEMPT A DESCENT ON SCOTLAND—SPECULATORS
INVEST IN FOREIGN GOODS TO BE TAKEN THROUGH SCOTLAND
INTO ENGLAND AT REDUCED DUTIES—THIS DIFFICULTY WITH
THE REVENUE AUTHORITIES NOTICED AS THE CONCLUSION OF
THE OLD NATIONAL QUARREL—THE ONLY DEFECT IN THE
FRAMING OF THE UNION ACT, 1-56

CHAPTER IX.

The War in Spain.

EXPEDITION UNDER ORMOND AND ROOKE—SELECTION OF CADIZ
AS THE POINT OF ATTACK—FAILURE EXCEPT IN THE MATTER
OF PILLAGE—THE SPANISH FLEET OF THE INDIES ATTACKED IN

188397

VIGO BAY—SINKING OF THE TREASURE—THE COMPETITORS FOR THE SPANISH CROWN—PORTUGAL AND THE NEGOTIATIONS—CO-OPERATION VISIT OF "THE KING OF SPAIN" TO QUEEN ANNE—GIBRALTAR—SIEGE AND CAPTURE—HOISTING OF THE UNION-JACK—THE BATTLE OF MALAGA—ATTEMPT TO RETAKE GIBRALTAR—JOHN METHUEN, THE AMBASSADOR TO PORTUGAL, AND HIS SON PAUL—THEIR INFLUENCE ON OUR RELATIONS WITH THE PENINSULA—THEIR SERVICES IN THE RETENTION OF GIBRALTAR—PAUL METHUEN AND THE TWO KINGS—SOLICITATIONS AND DEMANDS FOR MONEY FROM BRITAIN—THE BRITISH TROOPS—MISMANAGEMENT—RECALL OF SCHOMBERG, . 57-111

CHAPTER X.

*The War in Spain.**(Continued.)*

GALWAY IN COMMAND—PETERBOROUGH ARRIVES AND THROWS NOVELTY INTO THE WAR—THWARTED IN DESIRE TO SEIZE MADRID—SIEGE OF BARCELONA—SEIZURE OF THE SEPARATE FORT OF MONTJUICH—CHARACTERISTICS OF PETERBOROUGH—CAPITULATION OF BARCELONA—PETERBOROUGH WRITES TO THE QUEEN—HIS TRIUMPHAL PROGRESS INTO VALENCIA—PETERBOROUGH'S IMPETUOSITY AND GERMAN SERENITY—THE THEATRICAL NATURE AND FUTILE RESULTS OF PETERBOROUGH'S TACTICS—EFFORTS TO RECOVER BARCELONA—PETERBOROUGH EFFECTS A RELIEF—HIS POSITION AND CONDUCT AS A NAVAL OFFICER—THE MIGUELITES—CAPTURE OF ALICANT—PETERBOROUGH'S PERSONAL ADVENTURES—THE WAR AS TOLD IN THE 'MEMOIRS OF CAPTAIN CARLETON,' . 112-178

CHAPTER XI.

The Sacheverell Commotions.

ANNIVERSARY SERVICES OF THE CHURCH OF ENGLAND—HENRY SACHEVERELL—HIS FAMILY AND EDUCATION—HIS CHARACTER—HIS "GUNPOWDER TREASON SERMON"—THE ASSIZE SERMON—AGGRAVATIONS IN THEIR PUBLICATION—RISING EXCITEMENT IN THE COUNTRY—GREAT QUESTIONS OPENED—THE QUEEN'S

TITLE—TOUCHING FOR THE EVIL—THE DEFENCE OF THE SUCCESSION IN THE HOUSE OF HANOVER—THE CHALLENGE TO THOSE WHO WOULD TAKE THE RISK OF QUESTIONING IT—INQUEST FOR DISCOVERY OF JACOBITISM—DISCUSSION OF GREAT CONSTITUTIONAL QUESTIONS—THE BISHOPS—SACHEVERELL'S PLEADINGS, . 179-236

CHAPTER XII.

*The Sacheverell Commotions.**(Continued.)*

PREPARATION OF WESTMINSTER HALL FOR THE TRIAL—PROCESSIONS—THE QUEEN'S INTEREST IN THE CASE—SYMPTOMS OF POPULAR RESTLESSNESS—THE DOCTOR'S STATE PROGRESSES—DESIGNS AGAINST DISSENTERS' MEETING-HOUSES—DR BURGESS—CHARACTERISTICS OF THE DISSENTING CLERGY—THE WRECKING OF BURGESS'S CHURCH, AND OTHER MISCHIEF—CONCLUSION IN WESTMINSTER HALL—PARTING BLOW FROM THE COMMONS—BENJAMIN HOADLEY—BLACKWELL—CALAMY—PAMPHLETEERING—SACHEVERELL'S SCHOLARSHIP—PERSONALITIES—SATURNALIA—THE POETIC ANTHOLOGY OF THE OCCASION—SACHEVERELL'S CONSPICUOUS PLACE IN HISTORY AS UNCHAMPIONED, . 237-296

CHAPTER XIII.

The French Refugees.

DEFICIENCY OF NATIVE COMMANDERS BEFORE MARLBOROUGH—ATHLONE, THE SCHOMBERGS, AND GALWAY—RAPIN THE HISTORIAN—THE VALUE OF HIS OWN HISTORY AND THE IMPULSE IT GAVE TO TINDAL—CONDITIONS OF THE MATERIAL FOR THE HISTORY—ITS PLACE AMONG OUR HISTORIES—THE CONTRIBUTIONS OF THE REFUGEES TO OUR PRODUCTIVE INDUSTRIES—THE SILK MANUFACTURES—HISTORICAL CONDITIONS THAT HAD SEVERED THE BRITISH FROM THE SCHOOLS OF SKILLED INDUSTRY—NATIONAL ADVANTAGES OF THE INDUSTRIAL ACQUISITIONS—ACQUISITIONS THROUGH THE IMMEDIATE EXODUS OF THE CAMISARDS LESS VALUABLE—THE FRENCH PROPHETS AND THEIR ADVENTURES IN LONDON, 297-352

THE
REIGN OF QUEEN ANNE.

CHAPTER VIII.

The United Kingdom.

THE FIRST PARLIAMENT AFTER THE UNION—ALL THE FORMS AND TECHNICALITIES OF THE ENGLISH PARLIAMENT PRESERVED—INCOMPATIBILITIES IN MINOR INSTITUTIONS—IRRECONCILABLE LEGAL NOMENCLATURE—NECESSARY CHANGES—ABOLITION OF SCOTS PRIVY COUNCIL—ASSIMILATION OF TREASON LAW—ERECTION OF COURT OF EXCHEQUER FOR REVENUE CASES—NATIONAL BUSINESS—STATE OF THE NAVY—IMPRESSMENT—THE COAST UNPROTECTED FROM FRENCH PRIVATEERS—THE TREASON OF GREGG AND THE RESIGNATION OF HARLEY—THE FRENCH ATTEMPT A DESCENT ON SCOTLAND—SPECULATORS INVEST IN FOREIGN GOODS TO BE TAKEN THROUGH SCOTLAND INTO ENGLAND AT REDUCED DUTIES—THIS DIFFICULTY WITH THE REVENUE AUTHORITIES NOTICED AS THE CONCLUSION OF THE OLD NATIONAL QUARREL—THE ONLY DEFECT IN THE FRAMING OF THE UNION ACT.

ON the 25th of October 1707 the first Parliament of the United Kingdom met. Few meetings of a new Parliament at Westminster have been attended with less manifestation of excitement and curiosity than this. To Scotsmen of the Belhaven school, who dwelt on the romance of the "ancient kingdom," it was

mortifying to notice how thoroughly English the event was. They read that "all the forms usual to the beginning of a new Parliament were observed. The queen came to the House of Peers, and the Commons being sent for, they were directed by the Lord Chancellor to return to their House and choose a Speaker, and present him that day se'night. They unanimously made choice of Mr Smith, their former Speaker, and then adjourned to the thirtieth of the same month."¹ The Lords adjourned to the same day, after thirteen of the sixteen peers assigned to "that part of Great Britain called Scotland" had been admitted to their places by virtue of their respective writs, each being introduced by two English peers of the same rank.

Thus it was tacitly assumed that the English organisation and forms would rule the new Legislature of the two nations. It could not be otherwise; and fortunately the question of giving Scots institutions a share in the new legislative action was never seriously opened, because it must have been the suggestion of an impossibility, to be met by the doctrine that the admission of any institutions or practices peculiar to the Estates of Scotland would have materially damaged the Parliament of Great Britain. In Scotland it was felt rather than admitted that if old traditions and customary usages must be abandoned on one side or the other to give the necessary power and pliancy to the new organisation, generosity combined with justice in declaring that the sacrifice should be made by that small community to whom it would occasion but an eighth

¹ Parl. Hist., vi. 589.

part of the trouble, cost, and danger that it would bring on the larger body. What was essential to the protection of the rights and liberties of Scotsmen—the separate laws and local institutions—had been sacredly preserved. The predominant religion even had been secured, though a large body of the people, chiefly among the gentry, were devoted to the creed and ceremonies of the potent Church of England. Some among the aristocracy and wealthy citizens must abandon the ambition to play the part of legislative statesmen; but, on the other hand, the select few who went to St Stephen's had each a voice in the mighty destinies of the British empire.

Thus there was a courteous evasion, not only of the question whether the United Parliament might have been benefited by the introduction of some features from Scotland, carrying with it evasion of the answer that must have been an absolute negative. When the parliamentary tactics of England are compared with the devices for popular legislation framed by other communities, they come forth as a marvel of subtle skill. They stand not only unmatched but unapproached in efficiency, by any other public institution not copied from them, as a mechanism for collecting the predominating judgment of a popular assembly on any piece of business, whether of the simplest or the most complex character. Throughout the multitudinous and intricate mazes of "the statutes at large," there is no sentence—no word—that has not undergone the test, sometimes over and over again, of being at the mercy of every member of the Legislature to demand from his colleagues a vote on its acceptance, and that vote had to

be in the simple form of affirmative or negative. It was the realisation of the idea of the old logicians that exhaustive analysis could only be accomplished by what in their own language has been called bifurcation—it was exemplified in the whimsical formula that men are divided into Socrates and those who are not Socrates. There were in England but few difficulties and dangers that had not been conquered by a firm and conclusive settlement, and the few constitutional parliamentary contests occurring within the scope of our present story would seem so trifling in almost any other community, that they testify very effectively to the determination of the leaders in the political warfare to leave nothing doubtful and undecided. This noble organisation may be counted as the collective trophies gained in the long contest between prerogative and privilege; and those who had the keeping of so precious a charge would not and dared not sacrifice a morsel of it. There certainly could have been no compensation for the sacrifice in anything imported from the easy slovenly practice of the Estates of Scotland. In the Scots Estates there had been nothing parallel to the English contest between prerogative and privilege. There was seldom, indeed, anything there parallel to what was becoming the Government and the Opposition in England. The business brought before them was discussed with rarely any divisions, and the Lord Clerk-Register summed up the preponderance of opinion, sometimes consulting the members in his rendering, and correcting it if he were convinced that it was to any extent inaccurate. Such a method might in England be followed by the chairman of a

county or municipal meeting, where differences of opinion were faint, and there might be no occasion for calling even for “a show of hands;” but in the English Parliament it was coming to be the rule—if indeed that rule had not been already established—that nothing could go forth as the result of the deliberation of either House, unless it had been set forth in writing before the taking of the vote, and the vote was taken, yea or nay, on what had been so written. In Scotland, when the business of a session was over, the Lord Clerk-Register took the record of all that had been passed to the Sovereign or his Commissioner, who touched it with the sceptre as a signal of acceptance. But, as we have already seen, it was doubtful whether this was an equivalent to the royal assent in England, or was merely a courteous act of concurrence in what the Estates had done.

There were other matters abiding in a state of doubtfulness signally in contrast with the rigid precision of English practice. It was in question, indeed, whether, to hold any resolution or other utterance of the Estates as carried, it was necessary that there should be a specific majority for it in each Estate; or it sufficed that taking the members of the three Estates collectively, there stood a simple majority on one side. It would appear that this question never met a settlement, because it never happened that there was a majority of the whole members that did not consist of a majority in each Estate.

Through such easy harmonious action there was no room for great results wrought out of a contest such as that between prerogative and privilege in England. Whatever contest, indeed, had a part in

shaping the ends of constitutional action in Scotland was of a more critical character—the contest with England for national existence. There were, so far, the same elements at work, that the Norman sovereigns of England who claimed prerogative there, and their Norman followers, were ever watching their opportunity for stretching their power over Scotland. Communities in danger from a powerful enemy must of necessity become unanimous, for division among them is treason. Hence we see the harmony between the sovereign and the Estates distinctly merging into contest after the union of the crowns, when there is no fear of conquest by the “auld enemy,” but great uneasiness about the King of Scots taking bad lessons from his prerogatives in England. This growing contest was overwhelmed in the great convulsions of the Civil War; but after the Restoration had been hailed with frantic joy, the Crown and the Estates came to collision, and there was a motley burlesque on the great English contest between prerogative and privilege. It was impossible to improvise anything like the mighty bulwarks that it had taken centuries to create in England as the protection of powers and privileges; and something of a picturesque juvenile tinge was given to the discussion by references to classical opinions on freedom, and to the fabulous accounts of ancient republics. For voting in the Estates, the ballot was tried as a protection from Court influence, and it was found that it could be defeated by the officer of the Crown, who received the voting papers, putting a private mark on them.

But there was another side to the pleasant picture

of two communities looking back on a common origin in race and tongue, shaking hands in peace and cordial union after ages of discord and hatred. Descending from State difficulties to the personal intercourse between the English and their new countrymen, it was found that the Scot had an eminent capacity of adaptation to surrounding conditions, both among people and in places. Perhaps this was one of the sweet uses of adversity, as it trains the houseless wanderer, skulking from the emissary of the vagrant law, to be content with a humble roof and meagre hospitality. The Scot may have fled, for instance, to France or Flanders—the last of his family left living when the English army, led by Hertford, crossed his glebe on the march to Edinburgh, where he burned whatever was inflammable. He might also have fled before the avenging pursuit of a feudal enemy, at the head of his followers, or might have had his pastures stripped, and his grange burned by a troop of caterans from the Highland hills. He was subject to perils and oppressions in various shapes, in his own land, and so he accommodated himself to the fate of the exile. He was ever welcome in sumptuous and hospitable France, where he was heartily encouraged to sharpen his sword against England—the common enemy of both. Poland swarmed with Scotch settlers. They understood business, and would work, while the Pole preferred a life of idle gaiety. They were succeeded in that part of the world by the Israelites. It is notable, indeed, that wherever we find that the Jews now gather, the Scots supplied their useful services of old; while in Scotland itself scarce a single Jew has found a living.

It was in the nature of the true-born Englishman to hold aloof from strangers, and he was rarely an object of esteem when he went among them. The greatness, the glory, the freedom of his own country, were all-sufficient to exhaust his capacity of love and admiration. It was not his nature to hate other nations, or even actively to despise them; but he gave them the full measure of his social temperament, and that was a sublime reserve. In ordinary intercourse with the foreign world, this had no effect more serious than the arousing of a small amount of unpopularity, to be assuaged, or at least concealed, on a scattering of the contents of the abundant English purses. But between friends so close as Englishmen and Scotsmen were now made, it resolved itself into an active form productive of disastrous influences. It was part of the Englishman's reserve to decline entering on the merits of institutions that were not English, but to hold them at once as irregularities and mistakes; and the habit is still so inveterate, that wherever he goes he expects English social institutions to be improvised for his use, if he chooses to pay for them. But if national usages, differing from those he had been trained in at home, disturbed his equanimity when he crossed the Channel, how could he endure this people who, inhabiting the same island with his worshipful self, and in close intercourse with him, were bringing unknown forms and barbarous usages into that world of business which he had brought to perfection? This sense of injury reached its most contemptuous climax, when the officer of a Government department, or any other man of affairs, who had been trained

from his youth in a school of business, brought by the practice of generations to the highest perfection, found that it was neither acknowledged nor respected on the other side of the Border, where some substitute of unknown shape and hideous name occupied its place. The feeling was inveterately hostile to the perfect fusing together of the two communities; and people who have had experience in official life may even, at this day, know how hard it is to get even the most fair and liberal of men, if he has been indurated by long practice to any special form of English routine and nomenclature, to accept a different form of routine and nomenclature when he crosses the Border.

Naturally, these sources of incompatibility come forth most conspicuously in dealing with the law in the administration of justice. England had her common law—a peculiar child of her own parentage and rearing—and as unlike to the laws of any other country as it is possible for two organisations, for accomplishing a like end, to be. Scotland chimed in with France and the nations of Europe generally in accepting the law of the Roman Empire, as expressed in the collection of the *Corpus Juris*, modifying it by the feudal law as expressed in the *Consuetudines Feudorum*, and as announced in the supreme native court.

Let us imagine an English lawyer, say one of the jurisprudential monks of the Temple, desirous to form some idea of the laws of England's new partner in life: perhaps he has a taste for discursive reading in jurisprudence, but it is more likely that he has heard a rumour of appeals coming up from Scotland to the

House of Lords. The law lords there will not change their forms of pleading to adopt those of the Scots courts, and a mass of new business may thus find its way to the bar of London. He finds a book of great local eminence, *The Treatise on the Feudal Laws*, by Sir Thomas Craig. But there is not a morsel of practice to be found in it. All is philosophy or history, with a sprinkling of passages from Horace, Virgil, Juvenal, and other classic authors. It might rather pass for a work by Bynkershoeek, Rittershusius, Voet, or Haiminsfeld, if any of these authors could have expressed themselves in Latin so pure and eloquent, than the effort of a practical lawyer and judge living in Britain.¹

Something more exact as to the substance of the law of the land and the practice of the courts, might be expected in the great book of the *Institutions*, by Lord Stair—a book that might be called the Scotsman's Coke upon Lyttleton, holding the same position in Scotland as that weighty authority in England, in so far that if a distinct utterance can be found in it pronouncing on a disputed point of practice at the present day, it is supreme over all intermediate authorities; but here, too, there is far more divergence into the pleasant paths of philosophy and history than the common lawyer would like to see in

¹ Even the title of Craig's great work displays a rambling propensity that would shock a devotee of the common law: "Thomæ Cragii de Riccarton equitis in senatu Edinburgensi Patroni celeberrimi et jurisconsultissimi *JUS FEUDALE*, tribus libris comprehensum, quibus, non solum consuetudines feudales et Prædictorum jura quæ in Scotia Anglia et plerisque Galliæ locis obtinent, continentur; sed universum jus Scoticum, et omnes fere Materias juris feudalis et civiles singula reducuntur.

any English work on *nisi prius* practice or common recoveries.¹

Perhaps some native lawyer might recommend as an exception to the discursive character of the literature of the Scots law, a collection of precedents then recently published, the work of a judge of the Court of Session, with the forensic title of Lord Durie. There is neither philosophy nor poetry to be found there—at least as the author's own utterance—nothing but a thoroughly prosaic narrative of the facts of each case, and the law administered on the ground of these facts. Our common lawyer may now be so far assured of information, that if he read, and reading can understand, the first paragraph, or even the first sentence, he may read through the whole folio volume and take into his possession the whole of its technical wisdom.²

¹ The title-page in this instance, as in the other, is candid on the matter of wandering: "The *Institutions of the law of Scotland*, deduced from its originals, and collated with the civil canon and feudal laws, and with the customs of neighbouring nations. By James, Viscount of Stair, Lord President of the College of Justice. 1681."

² The beginning of the collection of decisions by "Auld Durie," as he used to be affectionately termed by his admirers and followers, is in this wise:—

"In an action pursued by Nathaniel Keith against the tenants of Peterhead and others, for abstracting of multures, founded upon a tack of the thirle-multures set to him by the Earl of Marshal, heritor of the lands and milne, bearing no exception or limitation expressed in the said tack which is set of all the thirl-multures of that milne and lands thereto contained,—the lords found that the farm of all corns payed to the lord and master of that ground which is thirled and astricted to the milne, ought to be free of multure-paying, notwithstanding of the foresaid thirlage of the whole corns growing upon the said lands, except that the foresaid farm be ground at other mills in the county by the tennent; but either being delivered really by the tenant to the master, or to any other to whom the heritor or master sells the same, or being sold to the tenant himself, and again sold by the tenant to any person whatsoever in the country, albeit it be not really delivered to the

In some corners of the law of Scotland—especially in those where, taking its sources from the feudal system, it deals with heritage or landed property—technicalities throng, as in the passage cited in the note; and it might have been expected that, next to his own, the common lawyer could have felt respect for counter-technicalities in the possession of his new partner. However this might be, for the absolutely feudal technicalities, such as those sprouting throughout the passage from Durie, tolerance by Englishmen

master but that it be bought by the tennent as said is. The lords found the farm not subject in payment of multures, but only in this case: if the same be grunden by the tennent at any other miln than the miln to which the corns of that ground was astricted.”—Opening words of ‘The Decisions of the Lords of Council and Session, in most cases of importance debated and brought before them, from July 1621 to July 1642, &c. Observed by Sir Alexander Gibson of Durie, then one of the Senators of the College of Justice. Folio: 1690.’ This intricate little affair, in claims arising out of agriculturists thirled or thrall’d to a privileged mill for the grinding of their corn, and the proportion of multure rendered for the grinding—or *molitura* as it will be found in Ducange—would be all the more distinct to the native professional reader by the aid of the technicalities that are stumbling-blocks to the uninitiated.

The inquirer might find, however, in the personal history of the author of this passage, a much more lively revelation of peculiarities distinguishing from English practice affairs coming under the notice of Scots lawyers of the law in Scotland. The judge was on an occasion taking an airing on horseback on the shore of Leith, when in a remote place he felt himself suddenly surrounded, muffled, and carried off. When the personal restraints were removed he found himself imprisoned in a Border peel-house or fortified tower. Three months afterwards he found himself set down at the spot where he had been picked up; then the mystery was explained. The abductor was an illustrious Border marauder called Christie’s Will. So far as he called any one his master, that one was the Earl of Traquair, who had a litigation in the Court of Session. The Borderer believed that the judge would decide against the Earl, and took the remedy natural to his habits. When the judge returned to duty he found that two incidents had occurred. The case had been decided in the Earl’s favour, and a successor appointed to his own judicial office.

was an absolute necessity even to Westminster Hall, because the strange names expressed institutions or usages unparalleled in England, and it was impossible to adapt to them English names. But Scotland was abundantly supplied by courts of justice doing work such as the English courts did; yet in these Scots tribunals, instead of common pleas, oyer and terminer, coroners, and grand juries, Westminster Hall found the court of session, sheriffs depute and substitute, and procurators-fiscal. *Qui tams, assumpsits*, common recoveries, and *quo warrantos* were unknown; but that Scotland might not be taunted with deficiency in corresponding technicality, she could produce summonses, suspensions, interdicts, multiplepoindings, and actions of declarator, and of putting to silence. The climax of the preposterous was reached in the revelation of a community where arson was called fire-raising, larceny theft, and burglary housebreaking.

Then that delicate and powerful instrument, capable of accomplishing almost anything in the hands of highly skilful adepts, the fiction of law, was unknown in the Parliament House at Edinburgh. In Scotland the practitioner of the law went straight to the matter at issue, and the Bench concurred with him. Of course certain classes of cases were grouped by appropriate nomenclature, but the prevailing doctrine of the law was, that where there is a right there is a remedy; where crime or injustice has been committed, there must be punishment for the one and restitution for the other. There was a mighty convenient form of action called the “multiplepoinding”—it might be translated into Eng-

lish as a remedy in the instance of "many impoundings." It was the remedy where there were many claimants on one fund or estate. It divided the fund among them according to the nature and extent of their claims, and was found to be so just and useful an arrangement that it has in later times forced itself into practice all over the kingdom as the duty of "the liquidator." Such an action might wind itself into the rather startling phenomenon of presenting before the casual visitors in a courthouse a judge in all his canonicals engaged in making repeated casts with a dice-box on his bench. This occurred when a landed estate had to be distributed among co-heirs; and it achieved simplicity and perfect fairness, for if the claimants were prepared to accommodate each other they had their opportunity after all forensic procedure was over.

A very solemn form of litigation was known as an "action of putting to silence," and when it was explained that this action could only be raised against a person of the female sex, we may suppose that it has occasionally excited curiosity. It is the remedy of a man who finds a woman proclaiming to the world that she is his wife. It gives him the opportunity of proving the negative, and she may meet his evidence by counter-evidence; but it is probable that her advisers may recommend her to adopt the form of remedy called a "declarator," peculiar to the woman who is repelled with ignominy from the door which she besieges as the injured wife of the traitor behind it. In that case the two actions will be "conjoined" as it is technically called, and will proceed harmoniously to the appropriate and

just conclusion as a "conjoint action of declarator and putting to silence."

In such an affair in England, if there were no remedy in the ecclesiastical courts, and the woman was driven to the cold shelter of the common law, she might find the case initiated for her in one of those actions for a remedy against evils encountered in the petty commerce of life, far away from the solemn issue of marriage and concubinage, of legitimacy or illegitimacy. Perhaps it might open with a plea of "assumpsit." The woman buys a pair of gloves from a dealer. To help her he must make himself in some measure her accomplice by raising an action against the man whom she declares to be her husband for the price of these gloves.¹

To a purely logical mind, the Scots idea of the administration of justice might seem infinitely the more rational and practical. But the spirit of the English common and penal law, though it may in its

¹ Those who have had the great satisfaction of reading Samuel Warren's brilliant novel called 'Ten Thousand a Year,'—developing a design to attack a great landowner and transfer his estates to an obscure drudging youth, brought forward as by hereditary descent the true owner,—will remember that the enemy's approaches are first detected by a legal friend of the family in an unintelligible scrap of paper delivered to a humble illiterate tenant—being a writ of ejection to try the title of his landlord, in the validity of his right to cultivate his morsel of soil. It is to be regretted that we have so little of the picturesque elements of litigation and other forms of legal practice in our fictitious literature. What Dickens has left to us is the echo of the mere externals witnessed by him as a reporter. One would desire to be led through some of the forensic mazes by one who has had extensive practice; but fortune is against such an acquisition to literature, as the temptations of the profession are apt to hold their own until the higher capacities are exhausted. Scott bequeathed to the world a rich store of forensic reminiscences, but the sources he supplied them from were limited to what passed before the clerk's table in the Court of Session.

jubilant humours play some fantastic tricks, has a deep principle of justice at the sources whence these escapades of jurisprudence are supplied. It is the principle that the machinery of the law shall not be set at work in the cause of an abstract generality, but must have facts and specific practical claims founded on them. There might be many ways of getting at the question of marriage or no marriage, all more or less beset by difficulties and dubieties, but the dealer's claim for his half-crown for the gloves is simple and specific, and the husband of the woman who took them off his counter is liable in payment if he can be found. It was the principle, or prejudice, that gave strength to that powerful protection to innocence in danger from the passions roused by traces and suspicions of some great tragedy—the establishment of the *corpus delicti* in all charges of murder. It was the proof, independently of all other items of evidence, that a person known, identified, and named, had been alive down to a certain point, and that after this he was identified as dead, and dead from violence—the act of a murderer. No bloody witness of indiscriminate slaughter, no testimony of deadly enmity between two men, followed by the disappearance of one of them, can supply the place of a specific proof of the *corpus delicti*. We have already seen how disastrous was the effect of the more lax spirit of the law of Scotland in dealing with charges of murder, in the affair of the execution of Captain Green.

We may see in such casual testimonies of antagonism between the two nations in the nature of their national establishments and the spirit of the admin-

istration of justice, how wide a field there was for disastrous work if the stronger nation were resolved to subdue the weaker to its own ways. And indeed Scotland was not long in finding that there would be a potent tendency in England to exact uniformity of national life. On the 11th of December the Commons were prepared to receive certain propositions affecting the Union with Scotland. In the first place came the repeal of "The Act of Security," with all its menaces and preparations for war. To this there could be no objection; and it was in the power of the United Parliament to repeal any Act passed by either of the separate parliaments. The Act of Security had been passed to drive to its conclusion a fair treaty, with perfect freedom of trade and interchange of profitable privileges; and all this had been accomplished. The very scanty morsel of comment preserved from anything said on the occasion must have been satisfactory to Scotland, as showing that the bold policy of the Act had been successful in gaining for the nation what it would not otherwise have obtained. It was noticed that the provisions of that Act "had given so great a jealousy to the English nation, that the rescinding of them was one of the principal views of the ministry in the prosecution of the Treaty of Union."¹

If it was impossible to resist the reasons for removing this hostile statute from the Acts passed by the Parliament of Scotland, and retained as permanent laws in "that part of Great Britain called Scotland," yet the repeal was likely to waken among the Scots the recollection that everything in their statute-book

¹ Parl. Hist., vi. 603.

was liable to be erased from it by a body containing a vast preponderance of Englishmen. On the other hand, perhaps English lawyers did not then know what they afterwards discovered in the course of practice, that there was a slippery ingredient in the statute law of Scotland rendering it uncertain what part of it was, and what part was not, fundamental active law liable to be put at the service of any one who claimed its enforcement, Englishman or Scot. A statute in England was safe until it was repealed by the Lords and Commons, with the assent of the sovereign. A statute in Scotland could die by what was termed "desuetude;" and there was no better criterion for this extinguishing power than that a court of law found that desuetude had done its work. Signal hardships and injustices were sometimes perpetrated in England when an Act, perhaps two hundred years old—to the knowledge of almost all men dead and buried,—was exhumed by some persevering rummager in the dreary region of old statute lore, and made the instrument of inflicting on his neighbour some rapacious or cruel demand peculiar to a distant age and a past social organisation. Still it was something that existed, and could be found by one man as well as another, while the desuetude was an exercise "of that law of tyrants—the equity of a judge." This rigidity, demanding full practical vitality for what had entered the statute-book, until it was actually blotted out by the authority that had placed it there, was a feature highly characteristic of all the elements of English law, and ever coming up in contrast with the amiable pliability of the Scots practice. But little more came of the

incompatibility than the retention of the Englishman's boast that his common law and his statute law were his own, inspired by the stern, unbending genius of his race, while the Scot was free to console himself with the privilege of picking up whatever he thought valuable in the *Corpus Juris* of the Romans, in the *Corpus Juris Canonici*, in the *Consuetudines Feudorum*, and generally in the laws decretal or consuetudinal of the civilised world.

Looking back to the Act of Security repealed, there followed other resolutions portending more serious meddling with constitutional elements in Scotland.

"1. That there be but one Privy Council in the kingdom of Great Britain. 2. That the militia of that part of Great Britain called Scotland be regulated in the same manner as the militia of that part of Great Britain called England is regulated. 3. That the powers of justices of peace for preserving the public peace be the same throughout the whole United Kingdom. 4. That for the better administration of justice and preservation of the public peace, the Lords of Justiciary be appointed to go circuits twice in the year. 5. That the writs for electing members to serve in the House of Commons for that part of Great Britain called Scotland be directed to the sheriffs of the respective counties, and that the returns be made of such writs in like manner as returns are made of such writs in that part of Great Britain called England."¹

This last resolution was simply a practical sequel to the negative influence that enabled the Houses of Parliament to go on with their business in the old

¹ Parl. Hist., vi. 603.

way, uninfluenced by the presence of a few new members. The abolition of the Privy Council of Scotland was something in appearance more momentous. It had been the gradual growth of centuries, and active to the last. Its traditions of rank and power were so august that it had stood in rivalry with the supreme courts of law on the one side and with the Parliament on the other. Of some old records of assemblages arrogating supreme power in Scotland, it could not be for certain established by adepts in archæology whether the minutes of their meetings recorded the Acts of the Estates of Parliament or of "The Secret Council." There was dubiety here contrasting with the precision of English institutions. It was difficult to see what place such a body could hold with the United Parliament and the Privy Council of England co-operating at Westminster. The very name, "Secret Council," savoured more of the functions of the Inquisition than the good old name of Privy Council, associated with distinct powers and hard useful work. It happened, too, that the tenor of the fashionable English reading of the day had made the gentry acquainted with a page in history not creditable to this same Scots Secret Council. Clarendon's great History had just burst upon the world from its hiding-place. It was the work of the queen's maternal grandfather. It told with lofty thought and touching expression the trials and troubles of that other grandfather who had been canonised as a saint, so far as Protestantism could accomplish this mystery. It became known to the readers of this book that the Secret Council of Scotland was the chief instrument in fostering the

Covenanting troubles that there opened the way to "The Great Rebellion." The Council had endeavoured to act on its own responsibility and knowledge, instead of implicitly obeying the instructions received from Whitehall; and it was no excuse for this that the instructions represented the meddling fanatics who clustered round the prelate Laud, and were only likely, if precisely followed, to hasten and exasperate the crisis. There was something on the whole to stamp this Secret Council as a dangerously irresponsible body, capable of aiding in the objects of any factious party in Scotland. It might serve the purpose of declaring war against England and equipping a rebellious army. It must be destroyed. The doom was executed by a sudden blow, without discussion. By inference from the effects of lighter corrections coming from the south, this might have been expected to light up all Scotland in a blaze. But the affair passed in indifference, for the Secret Council had few friends, and none who would lift a strong testimony in its favour. The days had been when "The Secret Council" was an object of national reliance and reverence—those days when, having received secret intelligence that an expedition had been equipped in the northern counties in England for a desolating invasion, the Secret Council issued its edict for instantaneously lighting up a string of beacons on the Border communicating with responsive fires northward till the blaze was seen from the slopes of the Highland mountains. When the peril had passed and the hour of retaliation had come, the Secret Council again reaped golden opinions from all true Scotsmen by the wisdom and precision

of its organisation of a bloody and destructive raid southward of the Border. But the later memories of the services of the Secret Council had been of another kind. It had been the Inquisition that harassed and tortured the Covenanters. And there were traditions of the last Stewart king who fled before the Revolution being sedulous in attendance at the administration of the torture when others fled from it, because it was a performance that he enjoyed as other people enjoyed tragic acting on the stage. And yet the Jacobites, if they had a word to say, could not well utter it for the Secret Council of the Revolution Settlement.

We shall presently have some further examples of the slight difficulties still calling for adjustment after the Union had become law. In the meantime, however, chronological sequence brings us to affairs when all parts of the United Kingdom had a common interest in the conduct of the executive Government.

On the 2d of February, the Lords, by an address to the queen, put at issue complaints that had been made on the part of several great traders against the administration of the Admiralty. The tenor of their grievances was the general insufficiency of the convoy department in the navy; long detention to suit the periods of sailing of the convoys, and consequent unproductive expenditure of wages and deterioration of cargo; the scarcity of cruisers for the protection of trade in the Channel; and lastly, the oppressive impressing of seamen from merchant vessels, implying a hint that while the protection given by the convoys was imperfect, advantage was taken of the opportunities it afforded to the press-gangs. The Lords sent

the affair to a committee, who made a long inquiry. It would be useless at this time to examine the several charges, and find how the question stood in each between the angry merchants and the apologetic sea officers. But the inquiry affords us some curious revelations both as to the prevalent opinions on the claims of trade, and the condition of the naval service of the day.

We have seen already how the claims of trade had waxed in magnitude until they seemed to assume a supremacy over all others,—how, for instance, the exclusive privileges of the English trade under the navigation laws were so tenaciously grasped, that nothing but the imminence of a war that must have been of the bitterest kind, between England and Scotland, procured for the smaller country the participation it demanded.

Something of a like grasping arrogance became visible in this inquiry. A historian of the period who gives prominence to the affairs of the navy, says, "A great many merchants being admitted into the House to make good the allegations in their late petitions, Mr Heathcote, son of Sir Gilbert Heathcote, and Mr Dawson his partner, two Russia merchants, made long and bold speeches against the Admiralty, whom they charged with fraud, malice, and ignorance—particularly in relation to the Russia fleet. Some members, to curry favour with the Court, endeavoured several times to interrupt them; but Sir Richard Onslow, the chairman of the committee, desired them to go on, which they did with great freedom."¹

¹ The History of the Life and Reign of Queen Anne, by Paul Chamberlen, p. 271.

The inquiry brought up many things to the discredit of the naval service of the day, as relics of the piratical spirit that had in early times contributed so much to its power and activity. It was said, and seems likely to have been true, that some participation in the affluent results of the trade to be protected might stimulate a commander to exertion. There were testimonies also to abuses in the exercise of the power of impressment, unjust and oppressive in its simple existence, even if restrictions on its use were sternly enforced. As a simple instance of the stories told, Peter Roberts, master of the Walthamstow galley arriving from Barbadoes, said that, "Though he had several of his men impressed at Barbadoes, and only nine men and two boys left with himself on board, yet Captain Roach of the Fox impressed three of his best men, his boatswain being one, although the master told him how weak he was, and that he had but one anchor on board. Captain Roach said if he was saucy he would take him and all his ship's company aboard, and whip the master at the gun. Captain Roach sent him three Italians who could speak no English, and they the next night in a storm ran away with the ship's boat, which was staved, and the ship ran on shore, and so continued thirteen days, to her damage of four or five hundred pounds, besides the great prejudice to the merchant's goods—upon which account the merchant protested at Plymouth."¹

There must have been a considerable amount of truth in the large number of stories of this kind told, and received with so much favour that they were

¹ Parl. Hist., vi. 634.

deemed worthy of a place in the parliamentary records. But on the question of abstract justice, it is curious to see that the summation of the charges of neglect and oppression, followed by heavy losses, seems to be matter of accounting solely between the sea-going trader on the one side, and the authorities of the navy on the other, including not only a few insolent commanders like Captain Roach, but the great council of the Admiralty, with Prince George of Denmark at its head.

The chief injury inflicted by Captain Roach was on the poor men impressed, and brings us to the point of the whole grievances being enhanced by the arrogant claims of the trading interests. It is not only that traders are making great profits, very much to their own advantage, but that the profits are also credited as an acquisition to the community at large, for which there should be compensation not only in the form of exclusive privileges, but in the support of a costly naval service for its protection.

Under the influence of the fiscal theories of the present day, we would leave the mercantile community to find for themselves profitable currents of trade; but we would hardly count the protection of this trade worthy of a special naval service, leaving them to their share in the organisation for protecting all the subjects of the realm, traders included. If the trader should select a line of business infested by dangers, we would tell him, as we tell the blockade runner, that the chances of success and the risks of capture are all his own. But the spirit of that age was to rank the men who opened new and profitable

lines of trade as mighty benefactors of their country, who had heavy claims on its gratitude. They expected protection as we now give it to inventors and authors, with the difference that the protection was to extend over the world as far as the combative power of the British empire could reach.

It happened that this inquiry opened up a serious affair of another kind touching the safety of national and personal interests. France was the power that accomplished by far the greater portion—nearly the whole—of the mischief that created a cry for increased protection to trade in the shape of more effective convoys. It appeared in the course of the inquiry that for the kind of mischief thus exposed, the naval power of France was more effective than that of Britain. Further, it appeared that in the narrow seas this superiority extended even to the capacity of making descents on the shore and plundering and wrecking villages and country-houses. It may be remembered that in our own day the elements of such a superiority were examined by a Frenchman of illustrious rank, and recommended as a policy that might be profitable to, and therefore worthy of, his country.

In the fortified seaports—especially in Dunkirk and Calais—there lay in wait fleets of privateers watching their prey and pouncing on the English vessels as the opportunity came. The half-corsair commanders of these vessels would, when the horizon was clear of British war-ships, cut out vessels from the unfortified harbours on the English coast opposite the French, and they occasionally carried their enterprises inland through the unfortified and ungarrisoned

country. The evidence before the committees of both Houses is stocked with such information about the dangers on the southern coast as the incidents in this little story, here repeated from the testimony of the commander of a merchantman, discloses:—

“Captain George Guillaume told their lordships that in his last voyage from St Ubes to London in the Ketch Concord, on Sunday the 10th of November last, he was forced by contrary winds into Falmouth harbour. The next day he saw three French privateers take a Dutch ship within three miles of Pendennis Castle. On Thursday he left Falmouth, and on Friday he saw two vessels, which chased him into Freshwater Bay in the Isle of Wight; but night coming on and the weather very black, he escaped between the land and the ships. On Saturday the 23d, he made Beachy Head, and as soon as it was day saw a French privateer under his lee, and soon after saw two at his stern and three more at his lee, and two more abreast of him, which made him resolve to run his vessel on shore, being very near land. Upon this the privateers put up English colours, which made him forbear for some time to run his ship ashore; but one of them putting all his sails out and coming upon him, he grounded his vessel and disabled her all he could, that they might not carry her off, and then went ashore at a place called Pevensy, and went to the town and got some assistants. The privateer came to an anchor and fired upon them, and the shot went above half a mile into the country.” The French privateers did not act as depredators who must pounce swiftly on their enemy and as swiftly escape, their attempt successful

or unsuccessful. They set themselves deliberately to loosen the beached vessel; and Captain Guillaume laments that had effective assistance been at hand the vessel might have been saved, "for it was above five hours before the privateer had her afloat."¹

It was clear that the most profitable naval policy for France in the war was that of applying its resources to the support of a predatory fleet, instead of courting contests in the open seas between fleet and fleet. The robber policy had at the same time a power of expansion by aid from private capital. Where the ambition of England was to use the vast capital of her people—vast for that period—by sending her merchant vessels into every sea, accompanied by powerful war-ships and squadrons for their protection, France found a nearer and simpler harvest by granting letters of marque, and issuing from the fortified harbours a hoard of pirates subject to the condition that their depredations must be restricted to the enemies of France. It will be seen that when a day of reckoning came at the end of the war the French Government were compelled not merely to abandon but to destroy the great fortress that threatened to annihilate the Channel trade of England.

France had not adopted a dignified form of warfare, but the parliamentary inquiry revealed many blots inconsistent with the national traditions even of the British sailor as a model of candour, bravery, and humanity. In a country so affluent, the social and political physiology of the naval service should have followed such a sequence as this. The nation should not have grudged to the service a large proportion of

¹ Parl. Hist., vi. 634.

its wealth—especially the wealth acquired by the foreign commerce that demanded protection from the sailor. Out of the large expenditure, the pick among our hosts of seamen would be tempted into the service of the national navy as volunteers, their selection for their effectiveness giving them a rank above those left behind in the mere service of commerce. If we have not yet reached this ideal, we are much nearer to it than we were a hundred and sixty years ago. The great scandal of our naval service—impressment—died a protracted death. There are people old enough to remember having in lonely places seen one and then another group of seamen skulking as if they were evading some avenging enemy: they were each others' enemies; the one, the press-gang hunting—the other, the hunted seeking escape.

An aggravation of the charges against the Admiralty for insufficiency in the convoy service, was the weakening of the crews by impressment. It was urged in defence of the Admiralty that there were limits and restrictions to the practice. No ship was to be thinned of more than one man to five of the crew. And instructions were given to local naval establishments to supply assistance where vessels were crippled, and especially to help any such vessel in bringing to port and discharging the cargo. Further, that every act of impressing in any British colony must have the sanction of its governor. If these orders were not obeyed, those who failed to obey them must take the consequence on the failure being established. It scarcely needed, however, such morsels of evidence as the following to show that when men like the rough sea-captains, the "old tarpaulins," found them-

selves with their overwhelming force beside a poor merchantman in a distant region, they would have little scruple in recruiting their crews, and would laugh at consequences. One witness stated how, "year after year from the beginning of the war, not one of his ships had escaped from having men pressed out of them, both at Jamaica and upon their return—if there was a press—except such as had run through all danger into the Downs, and so got to London. In particular, he swore that he had complained to the Prince's council of Captain Johnson impressing his men out of the Somerset frigate, and Captain Roach impressing his men out of the Walthamstow galley, also of taking away his men out of the Gold frigate, and produced to the Prince's council the evidence he had of these facts, but could not learn that any of the captains were punished or censured, or so much as once called to account for their violences. He also swore that all the captains he had employed in the West Indies have declared to him that those who impressed his men at Jamaica never showed any authority or consent from the governor for so doing."¹

There were pathetic references to the losses of perishable cargo, occasioned by waiting for convoy, or impressment of crew, or both. Of this species of cargo was a gang of negroes, and the hardships are not credited to the poor creatures in suffering and death, but to the owner in loss of property. And here association recalls as appropriate to the other grievance that nothing is said of the hardships and injustice to the man who is made almost as com-

¹ Parl. Hist., vi. 649.

pletely a slave as the negro, and compelled to work at a service he dislikes.

It seemed likely that this long and in some measure rancorous inquiry might touch in some unpleasing shape Prince George and his office of Lord High Admiral. There was, however, nothing more than some vague hints at the difficulty of bringing home responsibility to a service where the real holders of power and performers of duty could point to their august chief as the authority for all. But if there is truth in the following brief memorandum by Lord Dartmouth, it reveals more than is to be found by a study of the tedious report whence some morsels have been here culled. "George Churchill, the Duke of Marlborough's brother, was set at the head of the Admiralty in name of Prince George, who had a commission of High Admiral only to screen the other, by which means the Duke of Marlborough commanded as absolutely at sea as he did at land, where the Prince had likewise the title of Generalissimo, with as little authority; for he was not allowed the nomination to any one office in either, which he would sometimes complain of, but had not spirit enough to help himself, nor durst anybody put him upon it."¹

An incident occurred at this time not in itself so momentous as to be historical—it was the trial and execution of a criminal, but this was a too common event of the time to excite interest beyond some special circle. Here, however, the nature of the crime and the personal position of the criminal gave to the affair a flutter of interest passing up through various political circles to the throne. The opening

¹ Burnet, v. 342, note.

of the affair was thus : Tallard, the great French exile, corresponded with Chamillard, whom he had known as minister of war, in the arrangements that had led to his great defeat at Blenheim. The letters went open to the foreign department of the Secretary of State's office, where they were sealed and despatched with the official correspondence. It happened that one of these letters, dated the 28th of November 1707, in passing through Holland excited attention and was opened. It contained evidence that a clerk named Gregg serving in the foreign department of the Secretary of State's office, was accustomed to insert letters of his own in Catinat's letters before sealing them. Gregg had offered his services to the Government of France and the exiled Court at St Germain, to supply them with secret information from the British Court. As a specimen of the services he could do, he sent a copy of a letter that was to be a great State paper, the same that was to be written in the queen's own hand to the emperor, as described by Burnet. This was the letter by which the queen pressed the sending Prince Eugene into Spain ; and the copy, if not intercepted, would have been at Versailles many days before the letter could reach Vienna.¹ And here we have—what is rarely to be found—an account of the genesis of an autograph royal letter, since the careful spy distinguished the original draft by the Secretary from the additions or alterations made on it by the Treasurer (Godolphin) before it was copied by the queen. It facilitated Gregg's communication with France that the letters sent home by French prisoners of war passed through his hands. On the indictment for

¹ Hist., ii. 492.

high treason Gregg pleaded guilty, and thus the revelations expected from his trial were lost, and much curiosity throughout the country was baffled. The House of Lords came forward to supply what had been lost, describing it as a revelation "whereby the public might have been truly informed of the particular nature and circumstances of his crime ;" they say, "we thought ourselves indispensably obliged, in duty to your Majesty, and for the future safety of the kingdom, to do all that was in our power to find out the rise and progress of this dangerous correspondence." The Lords humbly addressed her Majesty to be favoured with all the papers in the possession of the Government likely to assist them in their investigation. And the ready supply of these materials was a token that the Government countenanced the investigation. The Lords remitted it to a committee. The inquiries of the committee were wide and diffuse. Gregg belonged to the criminal class, and had been convicted as a coiner of false money. He had no title to any social position above that of the labouring community, but, being a native of Scotland, he had education—a rare possession in the English criminal. We find him set to making a clear copy of a letter of courtesy scrolled by Harley, and how he "found it so ill-worded and the French so bad" that he thought it necessary to recommend it for reconsideration. He had haunted the Secretary's office—and probably many other offices—soliciting some employment that would afford him bread. It appears that he had been sent to Scotland in the crisis of the Union contest, instructed to look to such points as "What were the designs of the several parties ? What correspondence

between the Highlands and St Germain's? How affected to the house of Hanover? &c. He was also ordered to form a cipher of letters, whereby to design the great men there." Little was gained by the close inquiries of the committee. They told him that "it was expected by the House that he should be very clear and particular in declaring by what advice and encouragement he first begun such a correspondence." He said, "By none at all—he was tempted; he was tempted to it by the devil in the hopes of getting money."

One must suppose it to have been satisfactory to the committee that they alighted on nothing to induce them to carry the inquiry into any higher quarters than they found it in—a group of spies, with little to reveal but their own obscure communings. The country was full of French prisoners of war. These naturally plotted within the bounds of their little means, and corresponded, when they could, with the French authorities and with the British Jacobite exiles. Some light thrown on the secret communings and projects of this class imparts to the laborious inquiry almost the only interest it conveys to the present day. Gregg had said something about a French wig-maker, then in Newgate, as one of his accomplices, and this led to an examination, affording a sketch of his class. "Alexander Valiere, *alias* John Clarke," tells "that he is a native of France, and came over to Ireland in the French regiments sent thither with King James. He pretends he deserted fourteen days before the battle of the Boyne. He was hired as a servant by an ensign in Belcastle's regiment. After the war of Ireland was over he came into Eng-

land; and after having served several persons, he bound himself apprentice to a peruke-maker; and when his time was out, he went to live in the City, and followed that trade. He pretended that he entered into merchandising while the peace lasted, and that he had a part in a ship that was stopped in France; and upon that account he applied to Secretary Hedges to get a pass for Holland, but it was refused. One Wilmot of Doctors' Commons was employed upon occasion of treating about the exchange of prisoners. He named D'Allegres, Gallisi, Oniere, &c., and Valiere said he was made use of as an interpreter on these occasions."

It was a prevalent opinion that this inquiry exposed gross carelessness in the arrangements of the foreign department of the Secretary of State's office, and this was attributed to Harley apologetically, as the cause of the treachery that had alarmed the country. Among the incidents of mismanagement were these and others of their kind: "The rough draft of the queen's letter to the emperor, as it was altered by the Lord Treasurer, was left in the public book of the office, to be entered the same night it was to be sent away; there Gregg says he found it, and transcribed it, and any other clerk of the office might have done it as well as he. All the books in the office lie in a press; the key is always in the door, and not only the clerks but the chamber-keepers may have access. All letters, except those wrote to the Duke of Marlborough, are entered in the books; but these are only copied on loose sheets. Gregg said he had copied many of these. The draft of the queen's letter to the emperor was prepared by Mr Lewis, it was then

entered in the hand of Mr Thomas, Mr Harley's domestic clerk. The addition was in Lord Treasurer's own hand. Mr Mann saw it as well as Gregg. Mann said to Gregg, that what was added by my Lord Treasurer was much the brightest part of the letter."¹

This is certainly a sketch of a very slovenly official interior, especially when the momentous character of the papers lying about, and the urgent necessity for privacy, are considered. But was it all Secretary Harley's fault? According to later notions the organisation of a staff put at the service of a cabinet minister is in separate responsible hands. The chief enters the department as a stranger, who expects everything that it is proper to bring under his notice, or that he desires to see, to be brought to him, and removed or cared for by the proper officer. The cabinet minister's mind is occupied not in the disposal of the documents, but in the possibly critical information he may have derived from them.

It would certainly have been a waste of the highest class of official intellect, if the man who had the care of the nation—and of other nations—in his hands, should also have to lock the drawers and presses of his large department, and see that all papers were in their places. It would readily be believed, indeed, from casual notices of his habits and conduct in social life, that Harley would have been signally unfit for such

¹ On the affair of Gregg, see the Parliamentary History, vi. 608 *et seq.*; also State Trials, xiv. 1371, "Proceedings against William Gregg at the Old Bailey for High Treason, before Lord Chief Justice Holt and other Judges," 6 Anne, A.D. 1708. It seems strange to find in the country, then as now the least burdened with State secrets of all the European Powers, an item of secret intelligence described as a letter "wherein were enclosed the proceedings of both Houses of Parliament in relation to the augmentation of our forces."

a duty. He was liable to a dreamy absence of mind; and the hazy influence of this on his appearance and manner was probably the source of the accusations against him of indulgence in stimulants and narcotics—a charge inconsistent with a life so thoroughly devoted to practical business. But the dreamy absence is too well authenticated to be doubted; and indeed it was, as it were, burned along with a sense of bitter disappointment into the recollection of several men, who, led by him with a sort of ostentatious solemnity into private personal communication, expected to be intrusted with a State secret, or, better still, a State appointment, and found no weightier confidences reposed in them than the Secretary's hesitation about the genuineness of a Rembrandt or the rarity of one of the volumes that may have found a place in the Harleian Miscellany. Vivid and pathetic among these incidents is the blow dealt to Prior the poet. Was he acquainted with the Spanish language? No. Ah, well, it was recommended to him with great earnestness to lose no time in making the acquisition. The poet lost no time. His labours were sweetened by guesses at the object. Was it, for instance, to be a mission to Spain? When he announced the completion of this branch of his education, he was congratulated by his patron on his ability to enjoy the great pleasure of reading Don Quixote in the original.

Harley remained at his post during the inquiry, as if to let the world see that he was at hand to meet any possible accusations. He resigned his office of Secretary of State, and his resignation was generally attributed to no baser motive than a sense of unpleasantness in remaining at the head of an establishment

where such things had been done. It was, as we shall have many opportunities of seeing, a period rife with suspicions—with bitter spites and malignities. We may perhaps accurately rank these defects of temper among the dregs of the Civil War and the Revolution. Men were not roused, as in those days, to strike their enemies with the edge of the sword or the axe. Possibly none of Harley's political enemies thirsted for his blood, or would even have rejoiced in the knowledge that he had been brought to the block as a traitor. But, on the other hand, there were many people inclined to charge Marlborough and Godolphin as those who would rejoice to see their rival put on trial and crushed as a traitor.

Before resuming the history of the double war, it may be well to look at some events creating an alarm that the contest might be brought home to the newly united kingdom. On the 4th of March 1708, Henry Boyle, who had succeeded Harley as Secretary of State on the 11th of February, laid before the House of Commons by command "several advices received the night before and that morning of great preparations at Dunkirk for an immediate invasion upon England by the French, and of the pretended Prince of Wales being come to Dunkirk for that purpose." On the 11th "the queen went to the Peers and addressed both Houses, giving information that seemed to point to the danger of an actual landing as over." The invading fleet had been in the Firth of Forth, but it had passed northwards pursued by Sir George Byng with a far superior fleet. The opportunity of the crisis was taken for some parliamentary assaults on the new party, that was creating for itself

a political power inimical to the thorough revolution party, by asserting themselves as Tories without committing themselves as Jacobites. When the danger had passed, it was noticed in an address by the Lords, as appropriate to the smallness of the foreign force sent to invade the British empire, "This as it must depend upon some invitation and encouragement from hence, so it is an undeniable proof that neither your Majesty's piety, nor the mildness of your government, nor the success of your reign, can reconcile some men to the present establishment, the only sure foundations of our liberties and the Protestant religion. We hope your Majesty will always have a just detestation of those persons who, at a time when this hellish attempt was on foot, and so near breaking out, were using their endeavours to misrepresent the actions of your best subjects, and to create jealousies in your Majesty of those who had always served you most eminently and faithfully."¹

The affair was not a mere groundless rumour or panic. Five French men-of-war, with two transports containing about four thousand troops and "the Pretender," had been actually in the Firth of Forth under the shelter of the island of Inchkeith, and their masts had been visible from the heights round Edinburgh. This was the rather feeble result of a project long entertained by King Louis—he would frighten Britain so that Marlborough would be recalled from his conquering career for the protection of his own country. But here there were two considerations pretty well balanced against each other, with the result of neutrality. Marlborough was not a man to

¹ Parl. Hist., vi. 728, 729.

be easily moved by idle rumours; and while he was yet face to face with the French forces, how could these be safely reduced so as to send a sufficient force to make work for him in England? Had the original project of King Louis been effected, it would have performed before the world one of the grandest and most exciting dramas in the great game of war—the Duke of Berwick was to meet his uncle Marlborough. The two greatest captains of the age so strangely connected with each other were to try the issues of war, and it was to be on British ground. And the object of the invading general was to place his father's legitimate son on the throne—that legitimate son whose existence was denied—who had been treated as a spurious infant, abjured in countless solemn oaths as “the Pretender.”

Surely this would have made a strange and exciting conjunction,—but it was not to be. The time indeed, when the formidable shape it was designed to take would at least have spread dismay over Britain, had slipped away with the conclusion of the Union, and of the existence of divided parties and uncertain political loyalties. It was not until the battle of Almanza seemed to render the French cause secure in Spain—at least for the time necessary to reinforce the army of the Austrian cause there—that France could spare the poor four thousand men who were nestling under the shadow of Inchkeith. A Jacobite emissary named Hooke had been busy arranging among the Scotsmen who belonged to or might be led to that party for the great event. Little came of his efforts except an account of the wonderful difficulties he found in getting access to

the most notable public men in Scotland. He found the most zealous opponents of the Government in the debates on the Union liable to be overtaken by something like nervous silence when “King James the Third” was mentioned. Great hopes rested on the Cameronians—those extreme Covenanters who made themselves the most picturesque of the successive disruptions among the Presbyterians, each swarm on its departure lifting its testimony with great vehemence and much cursing, not so much against Popery or Prelacy, as against those Presbyterians who were likeliest to themselves but yet not thoroughly of themselves. By the Jacobite plotters these were much sought and cherished. A false brother of their order has left to the world an account of his negotiations with them, in an unblushing narrative of defeated treachery.¹ Then, who were they that were expected to co-operate with the suffering remnant who called themselves the “anti-Papistic, anti-Prelatic, anti-Erastian, only true Church in Scotland”? Even the wild mountaineers of “the Highland Host,” who had, but a few years earlier, been hounded out upon them by their persecutors to plunder and harass them—a band of malignant papists in politics and religion, and freebooters in temporal occupation; men who neither cultivated the ground, nor disposed themselves to any industry or trade, but lived by despoiling the industrious Lowlander of his humble hard-earned living. When a scheme involving the fusion together

¹ See The Memoirs of John Ker of Kersland, in North Britain, Esquire, containing his Secret Transactions and Negotiations in Scotland, England, the Courts of Vienna, Hanover, and other foreign parts. 3 vols. 1726-27.

of elements so utterly repulsive to each other is looked at, it is easy to decide that those Jacobite politicians, who professed to work a political reaction to the Revolution by such tools, were only creating an imaginary force of moving shadows, in the hope that powerful men at a distance might be tempted to commit themselves into co-operation with the phantom array. What was real in the cause of the keen alarms of the time, was the French force in Fourbin's little fleet and nothing more. Though its motions took the country by surprise, it is clear from the tenor of occurrences that the Government in London were informed of all, and had Sir George Byng ready with a force equipped for the immediate extinction of the "invasion."

Meanwhile all London was startled by the news that the French invading fleet had evaded Byng and was within sight of Edinburgh. Defoe, trying to account for this as an untoward incident, if not a calamity, took counsel among actual sailors, and gives us an instance of his curious power for mastering and describing the practical, bringing it forth from the perplexing envelopment of technicalities, except in so far as they helped him to make his story clear. It was well known in London, and was matter of surprise that, as the French expedition was to be against Scotland, and lay in Newport Roads, the English fleet lay in Gravelines, twenty-five miles southward, so that "it was about eight hours after the French were sailed, before the fleet could get notice of it and be under sail. But this is answered by the sailors, and which I shall not undertake to confute—viz., that it blew very hard, the wind at

north and north-west, and there was no other place where the English fleet could ride with safety." He tells us that "Sir George had also another disadvantage—viz., that the French sailing with the first of the ebb, he lost a tide of them, so that in their first starting the French had the advantage of the English fleet as follows: eight hours in time, twenty-five miles in space, and the ebb of the tide."¹

Hence Byng, in pursuit, was two days behind the French invading force. Had there been any organisation in Scotland for co-operation, here was the opportunity; and the whole affair is yet so far a mystery that the expectations that induced a practical Government like that of France to hazard such an expedition have not been divulged. On the 14th the approach of Byng's fleet was signalled; and there was no alternative for the French but to find their way home. One of their vessels had been sent so far up the Firth on some unknown errand. It was thus detached, and, of course, taken. This small acquisition was peculiarly welcome. The vessel was named the Salisbury. It had been taken by the French, and was thus recovered to the English fleet.

We may measure the alarm of England on this occasion by the preparations made to meet a French force landed and equipped for battle. Thirteen battalions of foot—7000 men—were marched northwards, along with a body of horse approaching 2000, supplemented by 1000 brought over from Ireland. The Dutch, true to their alliance, sent over 5000 foot, who were paraded with the English force; and they had a further contingent ready to sail if they

¹ Defoe: Hist. of the Union, p. 5.

were needed. Scotland provided 2000 foot and 650 horse,—making, in all, an army of 17,650 men; and reinforcements were anticipated by raising the militia in England and Scotland.

This affair was followed, in Scotland, by some criminal trials of a curious and rather perplexing kind. Five gentlemen were indicted for high treason. At the head of the list stands a name surrounded by associations that recall whatever is divine and lovely in art and literature. On the 15th day of November 1708, there were arraigned, before the Court of Justiciary in Edinburgh, "James Stirling, Laird of Keir; Archibald Seatoun, Laird of Touch; Archibald Stirling, Laird of Carden; Charles Stirling, Laird of Kippendavie; and Patrick Edmonston of Newton." We may count this the first and the last trial for treason under the old law of Scotland that attracted popular attention across the Border, and introduced some of the technicalities of the Scots criminal code to the astonished inhabitants of England. The passage in the indictment coming nearest to a specific definition of their crime was, that "they all and each of them, shaking off all fear of God and regard to her Majesty's person, authority, and laws, . . . when that part of Great Britain called Scotland was threatened with an invasion by an enemy's fleet of ships, with forces and an army abroad, sent by the French king, or by the Pretender—who went some time by the name of the Prince of Wales, and now assumes to himself the name, style, and title of King James, as king of her Majesty's dominions—with a manifest and open design to invade her Majesty's dominions and destroy her Majesty and her

good subjects,—at least to deprive and depose her Majesty from the style, honour, and princely name of these her dominions; did convocate and convene in arms with others their accomplices," &c. After much more such vague and strange rhetoric came a rather more specific definition of the crime that is to be proved to the jury. And it may be here noted that as the Scots law of treason came up soon afterwards for censorious criticism in England, ending in a recasting of the system, the passages here quoted may be interpreted along with the information to be given on the point. They "did gather themselves together, with their accomplices in arms, with swords and pistols and other offensive weapons, in an open correspondence with the said enemies and invaders, at the very time of their said invasion; and being so convocate and convened in arms, did march in one body or company, with their said accomplices, several days and nights, to and from several places in the shires of Stirling, Perth, and other shires adjacent, on purpose to encourage and strengthen the said invaders, or at least to raise her Majesty's other subjects in rebellion against her. Likeas for that end they did openly drink the good health of their 'Master,' as they called him, who could be none else but the said Pretender."

For the facts attested by the witnesses brought by the Lord Advocate to confirm this formidable charge, we must suppose ourselves at a place then as obscure, and deemed as little worthy of notice, as any fen in Lincolnshire or in Holland, but now illustrious in poetic fame—"the Brig o' Turk," at the opening of the Trossachs. One would not expect to find that it

had been a tavern, such as that described in 'Rob Roy' as belonging to the neighbouring clachan of Aberfoyle; but there appears, in testimony to the treason of Stirling of Keir and his accomplices, "John Maclaren, change-keeper at the Bridge of Turk," whose testimony gave faint support to the mighty charges against his guests. The five "panels," as in the record of his testimony he is made to call them, were in his house for a day and a night, with a few servants. "All of them had swords, and some of them had pistols, and saw them have some guns, but he knows not how many." Inquiries whether they held communications with accomplices elsewhere were unproductive. The Laird of Keir's servant was one of the witnesses. He testified that his master's reason for leaving Keir at that time was "the apprehensions he had of being seized with his horses by the forces lying at Stirling." Being questioned if aught was said "concerning the Government, the Prince of Wales, and the intended invasion," he had no information to give, "but that they heard that Admiral Byng had chased the French fleet off the coast before they went from Keir." It is to be inferred from the whole tenor of what is recorded in the 'State Trials,' that these gentlemen, conscious that they were suspected of Jacobite tendencies, had gone within the Highland line to be out of the way of danger or suspicion. To have gone where they were, unarmed, would have been deemed an act of supreme folly. The jury "all in one voice" found a verdict that the charge of treason was "not proven."¹

¹ "The Trial of James Stirling of Keir and others in Scotland for High Treason."—St. Tr., xiv. 1395.

Though unproductive as a stroke of policy, this trial is memorable as the last under the old treason law of Scotland, and as having possibly afforded suggestions for those who were determined to abolish that law. We can suppose our common lawyer, as the term "panel" occurs here and there, reflectively passing judgment on it thus: "Panel! why, panel means a jury. How, in the name of all that is preposterous, did it come to be applied to the prisoner at the bar?" Yet such was the fashion in Scotland; and if we come etymologically to search out a vindication for the adaptation in the two countries, it will be difficult to find a word more to be said for the one than for the other.¹

This trial handed over to the English lawyers a more signal source of doubts and difficulties in the verdict of the jury "not proven." This had an air of skulking compromise contrasting with the fair candour and distinctness of the English "guilty" or

¹ The great lexicographer of Scotland, Dr John Jameson, gives us "Pannel, any person who is brought to the bar of a court for trial." "The word, although used by us in a peculiar sense, must be viewed as the same with 'Panel,' English, which denotes a schedule containing the names of a jury who are to pass on a trial. Thus the phrase 'panel of parchment' is used L.B., *panella*, from *panne*, a skin, because parchment is made of skin, or *paneau*, a small square, from its form. Spelman unnaturally derives it from *pagina*, or rather *pagella*, supposing *g* to be changed into *n*." But the author of this learning seems to have found it wasted, since, in his supplement to his Dictionary, he finds pannel to be the Scots name for the bar of the court. He finds one of the persons charged with the murder of Darnley "presently entered in pannel to stand trial;" and in another passage the Lord Balmerinoch "sent prisoner to the castle of Edinburgh, and at last brought to the pannel, and by the assize of his peers condemned to die." Tomlins, in his 'Law Dictionary,' speaking from England, tells us that "Panel, according to Sir Edward Coke, denotes a little part." "But it is used more particularly for a schedule or roll containing the names of such jurors as the sheriff returns to pass upon any trial."

"not guilty." The judicial function of a jury is to convict or acquit. It is not constitutional to send the accused from the bar with a stigma on his fame—a sort of ostracism. But Scotland has ever tenaciously adhered to this middle verdict in charges of private crimes. There was a contest for it in the reign of King James the First of England and the Sixth of Scotland, whose servants in Scotland were strenuously suspected of attempts to bring over from England any specialty that might be used oppressively against the subject. They had on something, possibly suggested by a "writ of error," put juries, or assizes as they were called, on trial for erroneous findings or "errors of assize." And in such trials they endeavoured to enforce the doctrine that if a jury cannot conscientiously acquit they must "fyle" or convict, thus inverting the English principle that where there cannot be a conviction the acquittal must be absolute. In what is seen as the practical effect of the "not proven" verdict in Scotland, there has been found a strong argument to maintain it in all questions of private crimes. True, it sends the accused into the world with a black mark against his name. But he is free to remove that mark if it is his fortune to be able to prove his innocence. It is the fact, however, that there is no known instance of the sufferer under such a verdict challenging investigation. There seemed, however, to be in Scotland a disposition to concur in its removal from the treason code. Though coming from England, it came in the acceptable shape of a modification of rigour towards offenders against the Crown, who in Scotland might prove numerous.

After the Union had been carried and was absolute law, there was still mischief in store for that 1st of May 1707, when merchandise was to pass free between the two countries—the great point that had throughout been demanded by Scotland and resisted by the trading interests of England. These had now to protest against extremely dishonest uses made of the vast privileges so acquired by Scotland; but there was no remedy. The revolution in the trading organisation of the empire gave opportunity for private persons to speculate on the event as a source of profit, and they could not be prohibited from drawing the profits realised by their skill. Indeed it might have probably been found that a far greater amount of English than of Scots money was thus embarked, as the market was open to all speculators of both countries, and England had at least twenty times the capital of Scotland.

The chief speculations in this sort of commerce were very simple. In all pecuniary bargains there was always fairness, often liberality, to Scotland. She was to be subjected to the high custom duties exacted in England, and she had received a pecuniary compensation for that burden. As her own low duties held till the 1st of May, the mercantile problem was to import as much merchandise as possible into Scotland before that date. It might be sold in competition with the highly taxed articles in Scotland, but it was in the great market of England that the speculation was valuable. On this occasion trade showed its subtleness in finding channels that escape the acuteness of the most accomplished financiers. The duties in Scotland were farmed. The farming was to come

to an end on the 1st of May, and the natural question with the farmers was how to gather in the largest amount of customs duties before that time? It was of course by enlarging to the utmost the amount of commodities imported; and this policy to a certain extent made it profitable for them to be lenient in the exaction of duties, so as to draw, on the whole, a larger sum than the stern exaction would have brought. So it came to pass that on the 1st of May a large stock of goods had accumulated for the English market, imported partly at the low Scots duties and partly at less even than these.

When the critical 1st of May had arrived, the merchandise thus accumulated in Scotland did not slide into England with the usual silent rapidity of legitimately established commerce. It was known that the English officers would act; and as they had to be fought, it seemed better to fight one great battle where the national strength might come to the front, than to court defeat by contests in detail. There was evident hesitation about the final step, for the middle of June had come ere, as Defoe tells us, "the fleet sailed for London, consisting of about forty sail, mostly loaded with wine and brandy."¹

The English Custom House officers could see nothing in this but an attempt on a large scale to smuggle foreign goods through Scotland into England. They made a complete seizure of the vessels and the cargoes. The officers would not permit the ships to be unladen on bond or other security for the duties, if any, that might be found exigible. That was an accommodation conceded to importers when the precise amount

¹ Hist. of the Union, 572.

of duty was questionable so that the amount might be deliberately settled; but these goods were contraband, the produce of the national enemy.¹ The whole affair seemed to the department of Customs a very simple matter; but it was far otherwise to those who had the responsibility of keeping the peace between Scotland and England, and saving the treaty that had cost so much patience, anxiety, and statesmanship from being scattered to the winds. Able lawyers were consulted, and in some of the deep recesses of the law of England a method was found for warehousing and preserving the goods, reserving the rights of all parties concerned for deliberate adjustment.

If the zealous subordinates of the Custom House looked at this as an opening of the flood-gates that would let a continuous stream of smuggled goods pass into England, the higher officers of the Crown who were responsible for the peace of the United Kingdom, reflected that such an accident could happen but once, and, having occurred, the affair was at an end. That it could have happened was a small imperfection in one of the most complicated and critical acts of diplomatic statesmanship that the world had seen.

It was so far in favour of a passive solution of the difficulty that the actual enforcement of the duties required the aid of a new Act of Parliament; and though a draft of such a measure is preserved, the author found no traces of it on record.² On the

¹ Hist. of the Union, 573.

² "The clause proposed in the English Parliament to prevent the French goods being imported through Scotland."—Defoe, 686.

details of this affair little help is to be gained from available records, and we must be content with the conclusion as announced to us by Defoe:—

“That the merchants might be made easy, it was proposed to them that they should land their goods upon condition that they gave security to stand to the judgment of the British Parliament. This was thought but reasonable, and some complied with it and had their ships unloaden; others refused such securities, and their goods lay longer and suffered more.

“At length a medium was found out which was to let all the merchants have possession of their goods, serving the possessors of the goods with a writ of *devenirunt* out of the Exchequer. This is a kind of writ which puts the matter in a form of prosecution only, that in case of farther occasion the queen might recover her dues; and so the merchants had their goods, and the decision of it was left to time and to the British Parliament. Thus it continued in a course of law, but not under prosecution, till the meeting of the British Parliament, when, by a vote of the House of Commons, the whole affair was discharged, and all prosecutions ordered to be stopped.”¹ It may possibly colour these sombre and humble technical details with a touch of interest, to note that they are the last vestiges of the great quarrel that had kept England and Scotland apart as enemies for so many centuries.

The Excise and Customs—such parts of the revenue generally speaking as were not of a feudal nature—were collected by the indolent and pernicious system

¹ Defoe, 573.

of farming them out. A commission of Excise and Customs was now appointed. The new commissioners were of both nations, but many of the subordinate officers were naturally selected from the body trained to the work in England. The new process made the Scots acquainted with a curious testimony to English persistency in ancient customs. It had been found of old, when writing was a rare accomplishment, that when a sum of money represented a claim on the Exchequer, the way of recording it so that neither party had a possible chance of gaining anything by maintaining the record to be inaccurate, was to take a baton or bar of wood, smoothen one side of it, cut into the wood the sum in question—generally in Roman figures—and then split the wood through the figures, each party keeping one slip or tally. When the two were brought in union and fitted by the split there could be no question as to the exact figures engraved on them. An importation of vast bales of the materials for this kind of record caused much amusement among the Scots, and was perhaps a diversion from more dangerous excitements.¹

Among the resolutions to make the Union more complete, one was, “that the powers of justices of the peace for preserving the public peace be the same throughout the whole United Kingdom.” This change was suggested not so much for the preservation of the public peace as the collection of the

¹ These tallies were used in some shape or other down to 1834. There was much lamentation among the champions of ancient national customs when they were abolished, and it was rumoured that many forgeries immediately followed on the abolition. A reminiscence of the custom exists in the office of “teller” or “tallier” attached to the Exchequer and other departments.

revenue. Scotland abounded in judges of many kinds, and it might have caused surprise if among them there had not been found some suited to the enforcement of the revenue. Apart from the supreme court, there were on the one side the feudal courts attached to the establishments of territorial magnates—on the other side, the burgh courts or tribunals of the municipal corporations. But both were deficient in the quality of drawing their judicial authority from the proper fountain of justice—the Crown. In Scotland, a country where the central control was weak, and the other elements of the constitution struggled for power, it cannot be said that the popular municipal corporations failed to obtain their share. Within their walls they were supreme, and by a curious privilege, gradually absorbed, they had an organisation for striking and humiliating the proudest of the neighbouring aristocracy. If the hereditary sheriff or lord of regality had a vault in his castle possessing some faint privileges as a legal place of imprisonment, the neighbouring provost and burgesses owned a much larger and stronger building, where malefactors of all descriptions were detained and punished. This was a privilege fairly bought with their money. For the possession by each municipality of a building that was partly a fortress and partly a place of punishment, the corporations collectively agreed to build and maintain prisons, not only for keeping down turbulence and dishonesty within their own walls, but for the reception and detention of all that the king's writ sent to them.

Still all this abundant and powerful judicial administration did not suffice for the collection of the

revenue as it was collected in England. The judicatories, feudal and municipal, were not in the places where trade required a rapid adjustment of fiscal and other disputes, but in the corporations—some of them long decayed—and in the great feudal houses where the historical conditions of the country had of old placed them. Hence an Act was passed to give effect to the resolution, that the power of justices of the peace "be the same throughout the whole United Kingdom."

One thing yet was needed for the uniform adjustment of the machinery for the collection of the revenue—a supreme tribunal possessing the power in revenue matters of the English Court of Exchequer. It was necessary to be very careful that these powers should be limited to questions of pure revenue; for the English court had created to itself a wide jurisdiction in many classes of civil litigation, on the fiction that the defendant was liable to process as a debtor to the Crown, and it was necessary to clear off this impediment to bring the parties fairly to issue. The Exchequer was transferred to Scotland with all its ancient pomps and traditional forms that had lost their meaning. But it was seen to be harmless for all purposes beyond the collection of the revenue, and it was tolerated. Another item in the measure for the improvement of the Union had naturally a more formidable shape—the revolution of the treason laws by recasting them in the English model. Trial was to be by "commission of oyer and terminer." Three of the Lords of Justiciary in Scotland were to be of every such commission there—one of them to be of the quorum. It is observable that in the bulk

of the enactments for completing the Union, there seems much solicitous care to revolutionise only the institutions for giving effect to the policy of the new State at large, and to leave as they were found the remedies for claims between man and man in the courts of civil law, and also the administration of the criminal law for the punishment of the perpetrators of crime and the personal protection of the citizen. The Act for readjusting the treason law lets us see a point where English precision rendered necessary a small deviation from this spirit. In England, when some offences that were not matters of State slipped into the treason law, they were clustered together under the exceptional name of "petty treason." Scotland had not been so exact, and therefore it had to be provided that "theft in landed men, murder under trust, wilful fire-raising, firing coal-cleuchs, and assassination," declared to be treason by old Scots statutes, should be ranked with other capital crimes, and tried before the old Scots courts.

The Act contained a short clause that, in association with the events that supplied Scott with his great epic of 'Old Mortality,' might be calculated to raise a sensation of shame even in the most patriotic of Scotsmen. It simply made it law that "no person accused of any capital offence or other crime in Scotland, shall suffer or be subject or liable to any torture."¹

¹ 7th Anne, ch. 21.

CHAPTER IX.

The War in Spain.

EXPEDITION UNDER ORMOND AND ROOKE—SELECTION OF CADIZ AS THE POINT OF ATTACK — FAILURE EXCEPT IN THE MATTER OF PILLAGE—THE SPANISH FLEET OF THE INDIES ATTACKED IN VIGO BAY—SINKING OF THE TREASURE—THE COMPETITORS FOR THE SPANISH CROWN — PORTUGAL AND THE NEGOTIATIONS—CO-OPERATION VISIT OF "THE KING OF SPAIN" TO QUEEN ANNE—GIBRALTAR—SIEGE AND CAPTURE —HOISTING OF THE UNION-JACK—THE BATTLE OF MALAGA—ATTEMPT TO RETAKE GIBRALTAR—JOHN METHUEN, THE AMBASSADOR TO PORTUGAL, AND HIS SON PAUL—THEIR INFLUENCE ON OUR RELATIONS WITH THE PENINSULA—THEIR SERVICES IN THE RETENTION OF GIBRALTAR — PAUL METHUEN AND THE TWO KINGS—SOLICITATIONS AND DEMANDS FOR MONEY FROM BRITAIN—THE BRITISH TROOPS — MISMANAGEMENT—RECALL OF SCHOMBERG.

To carry the war of the Spanish succession into the territory of Spain itself, was a tradition from the Government of King William. On the statesmen liable for the conduct of this policy there hung the weight of difficulties and dangers inevitable to the Government that takes a part in the internal quarrels of a foreign people. In Flanders or Swabia the allies saw their enemies before them, and knew that their simple duty was to fight and conquer. It was pos-

sible, however, that a victory over Spaniards might help to defeat the ultimate object of the war, by arousing new hatreds and strengthening old. To all, however, who only looked at the life before them in the camp or the fleet, such a war had many charms—especially in the liberal opportunities it would afford to the rapacious spirit of the period. Spain was not a country rich in the fruits of industry and trade like England and Holland; but it was known that the chief cause of the sordid poverty of the Spaniards arose from the restraints on the free application of the precious metals to the legitimate services of trade; and thus the country was believed to be full of ready treasures of bullion to reward the marauding soldier. Then the galleons plying between the Indies and the ports of the Mediterranean were ever carrying to Spain additions to this load of wealth; so that, to the sea-warrior, the piracy that so often stained his profession was converted from a crime into a duty.

A joint expedition, English and Dutch, for sea and land service, was adjusted and put under the supreme command of the Duke of Ormond—Sir George Rooke commanding the English fleet of thirty ships of the line. There were twenty Dutch ships of the same class; and with adjutant vessels and small craft, there were upwards of a hundred and fifty sail, carrying fourteen thousand land troops. Various points of attack in or near the Mediterranean were considered, and among them Gibraltar. For this, as the first and chief aim of the expedition, there was little to be said. It was a poor place—a bare rock with nothing but its forts, and it was naturally strong. It

was to Cadiz, as the richest centre, that the expedition gravitated. There they were likely to find abundant spoil both for land and sea men; for not only were great treasures in permanence there, but a fleet of galleons, with a substantial addition to the precious things, was expected speedily to arrive. For the safety of its riches, Cadiz was heavily fortified; but here there was a reward for courage and endurance, while the great rock furnished none.

The admiral was told that, looking to the advanced season of the year—2d July 1702—the instructions that he is to sail as far as Gibraltar are withdrawn. He is to sail to Cadiz and take that town, if this appears to be practicable; if he find it is not, he is to sail directly to Corunna. Should he in the meantime hear that there is a French fleet at Corunna, he is to go thither, straight, without taking Cadiz on his way; but that alternative did not interpose for the protection of Cadiz.¹

Cadiz is known as a town on the coast of Spain—some half-way between Gibraltar and the frontier of Portugal. It stands on the outmost point of the small island of Leon, connected with the mainland by bridges and causeway, and thus made by art somewhat as Portland Bill is by nature. The place was defended by a veteran warrior of the old Spanish type, Villadarias—the hero of many of the stories of chivalry and good-fellowship that endear a commander to his followers. His weight was felt in the first attempt of the assailants. It appears that the sea authorities pronounced a landing to be safe where there was a capricious and delusive surf

¹ Despatch to Sir George Rooke.—Brit. Mus. Addl. MSS., 2894.

peculiar to the waters of that coast, so that the boats got out of control, and twenty of them were upset. On those who landed, confused and wet, Villadarias came down at the charge with a troop of cavalry.

The expedition seems to have at first been uncertain whether they were to fight enemies or gather friends. It was soon evident that they were not to discover friendship enough to supply them with information. They could form no estimate of the numbers gathering against them, and were easily deceived by devices for exaggerating these numbers. Incapable of making any serious attack on the great fortresses, they occupied the suburb called St Mary's where the rich citizens had their rural abodes; and these all deserting their homes, left the place in the hands of the new-comers. To compensate themselves as far as possible for the impossibility of touching the treasures guarded by the fortifications, they stripped the houses of the valuable things belonging to the affluent owners. They found a good deal of spoil, too, in the decorations and treasuries of the churches, and so managed at once to arouse the hatred of a people who were the most bigoted adherents of the old Church, and by nature the bitterest haters of heretics. The vision of an enthusiastic native force rallying round their deliverer to join them in driving out the French invaders, was soon dispersed. But a calamity deeper than this had to be mourned over by the people of England. Their nation was disgraced before the world by the brutalities committed at St Mary's. It was not merely that the common soldiers and sailors had broken loose from the bonds of disci-

pline, but that officers of high rank were chargeable with rapacious plundering. Two of these were tried by court-martial, and one of them, General Belsise, was dismissed.¹

At a council of war it was resolved to abandon the adventure; and on the 30th of September all were on their way homewards—according to the definition

¹ See instructions to the Duke of Ormond, 24th September 1702, under the sign-manual, referring to the outrages committed at the taking of Port St Mary's. The rumour attaches chiefly to Sir Henry Belsise and Sir Charles Hara, "who, as general officers, ought rather to have cared to have prevented such proceedings in others than to have given encouragement thereto by their own example." A full inquiry is to be made, and those to whom guilt is brought home to be dismissed from the service.—Brit. Mus. Addl. MSS., 28746.

The following passage in the Nottingham Papers shows that the queen took a lively and indignant interest in the steps necessary for visiting on the guilty persons the scandal that had been brought on the army:—

"Mr Secretary has shown me a letter he has from Count Wratislaw complaining of great disorders and pillage committed by the general officers themselves at Port St Mary—naming Bellasize, Haro, and Shaw, and desiring the queen's directions for the examination and punishment of them, if the fact should be true, as I doubt it is. The queen herself thought his request so reasonable, that of herself she was ready to give immediate orders to the Duke of Ormond accordingly, and it was not without a little uneasiness that she was prevailed on to defer it till to-morrow, that she might have an opportunity of calling together such Lords of the Cabinet Council as have the honour to attend her Majesty in this place, and hear their opinion upon it, which I am apt to think will not much differ in this case from the queen's own thoughts."—*Ibid.*, 29588, f. 265.

The scandal of the plundering brought another important person into a curious difficulty. Lord Portmore, on board the Northumberland on the 9th of October 1702, complains that a mistake had been made by a subordinate, the effect of which he thus describes: "My name is sent to Court at the head of several articles, which, though my own things brought from England, are set down in the book as plunder. This, I have reason to expect, will do me a great prejudice, and give impressions very different from the character I have ever maintained in the army, which for the present is very mortifying to me, though I am sure it will appear that I had rather merited esteem than disapprobation."—*Ibid.*, 28927, f. 155.

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of one who was present—"with a great deal of plunder and of infamy."¹

The "disappointment at Cadiz" was noticed in the queen's speech at the opening of Parliament, on the 21st of October, with such a "representation of disorders and abuses committed at Port St Mary's," as demanded special inquiries. In noticing this in their counter-address, the Commons found consolation in the prospects of the war, where the "wonderful progress" of her Majesty's arms, under Marlborough, "have signally retrieved the honour and glory of the English nation;" and here, again, was subtle contest on the possible insinuation in the word "retrieved," as a "reflection on the late king's memory." Those who found such a meaning in it only stamped an emphatic testimony of the meaning by finding themselves in a minority of 100, on a motion to substitute for the word "retrieved" the word "maintained."²

Fate had yet, however, a mighty blessing in store for the British expedition, through blunderings of the enemy that went far beyond neutralising their own. The fleet, with fresh supplies of treasure from the Indies,—what had become of it? Naturally it did not steer towards its original destination, for that would have been to throw itself into the trap; for the great superiority of the British force at sea was unquestionable. The fleet of the Indies sought refuge in the Bay of Vigo, in Galicia, the most northerly province of Spain, so that the British fleet on the way home found what it sought. The prey

¹ Captain Stanhope, cited by his descendant.—*War of the Succession in Spain*, by Lord Mahon, 59.

² The numbers in the division were 180 to 80.—*Parl. Hist.*, vi. 48-51.

might have escaped but for one of those questions of trade monopoly that, especially in Spain, overruled all other influences. Cadiz had the privilege of receiving the treasures and drawing tolls. The matter went to the Supreme Council of the Indies at Madrid for adjustment, but an affair so weighty could not be settled at once. At length came the alternative that should have been obvious and immediate, to put the cargo in safety, reserving consideration of all claims. But the instruction came too late. The year was far through October, and on the 22d the British fleet was also in Vigo Bay. There was no despondency, no lack of zeal and determination now. A boom across the entrance, sustained by vessels moored, was burst. The enemy within, however, were invigorated by desperation. They endeavoured to separate the galleons carrying the treasury from the protecting fleet of war-ships, Spanish and French. But the attacking fleet broke through and chased the galleons. The next policy was to set the galleons on fire and sink the treasure in the water on the chance of after-recovery. There was now a contest in a variety of forms, but all ferocious and sanguinary. The attacking force were slaying their enemies, extinguishing the fires, and seizing the valuables as the Spaniards strove to pitch them into the water. An account of this affair was rendered to the queen by a special messenger of rank on the 30th of October, and was passed to the ministers in these concise terms:—

"October 31, 1702.

"I believe it will be very acceptable news to your lordship to hear of the force of the fleet, which news my Lord Lenox brought this afternoon to the queen from the fleet.

Sir George Rooke, upon advice that the galleons and the French squadron that conveyed them were got into Vigo, he immediately sailed thither. The land force attacked the forts and made themselves masters of them, and part of our fleet sailed into the port, took nine galleons and nine men-of-war, and destroyed all the rest of the fleet. They are coming home with these nine galleons and nine men of war.—
I am, &c.,

JOHN VERNEY."¹

Much life was lost and much of the precious cargo, but it would appear that the assailants carried off plunder reaching a pecuniary value estimated roundly at half a million of pounds sterling. Yet the loss to the sufferers was estimated as that of the gain to the attackers several times over; and this commended the achievement of the British to those who had no concern with the expedition, but were interested in the Austrian side of the contest, as a great loss and discouragement to the party of the French succession. It paralysed the naval power of Spain, then in the hands of the French party.

That a success had been accomplished was visible in two events. Cabrera, the Admiral of Castile, one of the most powerful of the hereditary grandees of Spain, declared for the Austrian succession. As his fidelity to the French party was suspected, he was sent as ambassador from Spain to France—from the grandson to his grandfather. The preparations for the embassy were completed with all appropriate deliberation and pomp, and he was on his way to Versailles when he was stopped and called hastily back by a messenger who carried a sealed document, which he had himself prepared before he left Spain.

¹ Brit. Mus. Addl. MSS., 29568.

With sudden exclamation on opening it, he announced it to contain a message to turn immediately to Portugal, where there was danger that King Pedro might declare himself for the Austrian succession. The admiral accomplished what he declared that he had been sent to counteract. At least through him Portugal was accepted into the Grand Alliance. King Pedro engaged to supply for the Archduke's service some 28,000 men—5000 of them cavalry. They were to be maintained by the Archduke; but this, if it meant anything more than a general promise of participation in any funds that might be available, added the maintenance of the Portuguese force to the obligations thrown on England. But this did not entirely satisfy King Pedro of Portugal. By a separate secret treaty certain convenient portions of Spain, including Vigo and Badajos, were to form part of the dominions of the crown of Portugal; and it was to obtain as a colonial possession the Rio de la Plata in America. This was the second and the more important of the two events supposed to have been influenced by the success at Vigo.

Out of these two events came another perhaps more important than either. Portugal had not much relish for interference in a Spanish quarrel. Whichever party governed, Spain would be the natural oppressor of the weaker nation. Yet, if the prospect of final success attached itself to the cause of the opponent of the aggrandising Bourbons, it might be the interest of Portugal to do its best in that cause. The sincerity of the contest for the Austrian claimant would be shown by his coming to

the Peninsula to direct the war—and the Archduke came accordingly.¹ The rivals were both young men—the Archduke seventeen, the French prince nineteen years old. It had become a tradition that young sovereigns should do audacious things ever since Louis XIV. in his hunting dress bullied the Parliament of Paris with a success so brilliant as to recast with additional strength the prerogative of the Crown. It cannot be believed that both the princes who were now placed at the head of the two parties dividing and convulsing Europe possessed characters so fully developed, and sagacity so mature, as to “ride the whirlwind and direct the storm” with strong hand. Yet each is occasionally spoken of as the practical as well as the nominal leader and controller of his own cause; and that the Archduke, whose private life is naturally better known to us than that of his competitor, professed sometimes to direct and thwart his counsellors and allies as one who felt himself “every inch a king,” has become known to us by the unfavourable criticism passed upon his conduct on such occasions. We shall find him endowed with two qualifications for his regal mission, neither of them inconsistent with youth. The one was an ever-active consciousness that where he went his place was that of supremacy—the other was the perfection of courtly grace that

¹ It will perhaps be found convenient to apply in future the name of “the Archduke” to this competitor, since both he and the grandson of King Louis are each by his own party called “the King of Spain,” and referred to as “his Majesty.” The term “King Philip” may be with propriety applied to identify and distinguish the opponent, as he had all along a firmer hold of the sceptre, and at last became undisputed king.

made the assumption not only tolerable but becoming. He came, in fact, fresh from the social hotbed where all the courtly graces were understood to be reared. The imperial Court was by tradition the fountain of honour for the whole world, and practically it was the great central academy where all the wisdom about heraldry, precedence, the significance of Court pomps and ceremonies—all that oriental and Gothic barbarism had heaped over the original Roman simplicity—were studied and taught. We shall see how he was thus endowed for dazzling the remote unsophisticated Court of Windsor.

Meanwhile “the King of Spain” was to leave the imperial Court and visit his own dominions, making a circuit to visit the Court of his chief ally at Windsor.

Taking Holland on his way he paid his visit to the queen at Windsor, in solemn state, on the 29th of December. “The Marquis of Hartington, Captain of the Yeomen of the Guard, received the king at his alighting out of the coach, and the Earl of Jersey, Lord Chamberlain, lighted him to the great staircase. Her Majesty received the king at the top of the great staircase, without the guard-room, where his Majesty made a very low bow; and the queen raising him up he saluted her, and made his compliment to her Majesty, acknowledging his great obligations for her generous protection and assistance.”¹

The following account by an eyewitness of the hospitable part of the ceremonials may have interest,

¹ History of Europe, 1703, p. 484.

instructive as a sketch taken from the life of a Court interior of the period :—

“KEW, This day.

“MY LORD,—My young man and I returned yesterday from Windsor, where we were very much diverted by seeing the reception of the King of Spain, which was in all particulars truly noble. I never saw so great a court nor so splendid. This prince had been represented so to his disadvantage, that I believe everybody was surprised to see him almost the contrary of what they expected; for, as to his person, he is beautiful, well-shaped, and his mien and address very graceful and proper; so that everybody seemed to have the same sentiments of him. The queen seemed extremely pleased to see her Court filled with persons of the best quality and very rich in their dress. He led the queen wherever they passed from one apartment to another, and all the ministers and officers of State walked before them. He made very handsome presents of jewels to the ladies that waited at table—the Duchess of Marlborough, the Lady Frescheville, Mrs Fielding, and Mrs Damer; particularly to the first in a piece of gallantry, for he took the jewel from the queen when she had washed, and pulled the ring he wore from off his finger, locked it up with the jewel, and gave to my Lady Marlborough.”¹

¹ Brit. Mus. Addl. MSS., 29563, f. 166. Burnet, who may be counted as echoing the Court rumours of the day, confirms this account of the fascinations of the young prince. “About the end of December the King of Spain landed at Portsmouth. The Duke of Somerset was sent by the queen to receive him, and to bring him to an interview which was to be at Windsor. Prince George went with him on the way, and he was treated with great magnificence. The Court was very splendid and much thronged. The queen’s behaviour towards him was very noble and obliging. The young king charmed all that were there. He had a gravity beyond his age, tempered with much modesty. His behaviour was in all points so exact, that there was not a circumstance in his whole deportment that was liable to censure. He paid an extraordinary respect to the queen, and yet maintained a due greatness in it. He had an art of seeming well pleased with everything, without so much as smiling once all the while he was at Court—which was only three days. He spoke but little, and all he said was judicious and obliging.”—Hist. (1833), v. 82, 83.

Granted that it was either necessary or politic to carry the war against France into Spain, it must be conceded that Portugal was a mighty acquisition to the allies. It enabled the invaders in security and ease to mass their forces on the frontier of Spain: it was, indeed, such a military base of operations as has rarely been acquired by any Power fighting with an enemy so distant. But the arrival of “the King of Spain” was not the only attraction that secured the Court of Lisbon. There was, in the first place, the universal subsidy; but King Louis also, in the terrible crisis he had brought on himself, was constrained to lavish much of what remained to his impoverished country in subsidies. There was the promise of the frontier provinces of Spain if King Charles was successful,—a precarious but tempting bribe. It must be kept a dead secret from Spain, for it would raise a vision of dismemberment—the one spectre that roused the apathetic Spaniard to fury. Hence it could not be entered as an item of the Grand Alliance, for this was virtually an element in the public law of Europe. It was therefore a separate and secret engagement, that might have compromised our ambassador John Methuen, and with him the English Government, had it been revealed.¹

The ingenuity of the ambassador enabled him to lay down another weighty bribe costing nothing at the moment. This was “The Methuen Treaty,” renowned during the last and a great part of the pres-

¹ The treaty, bringing the King of Portugal into the Grand Alliance, was adjusted on the 6th of May 1703. The following vestiges of the incidental difficulties in the way are scattered through the Nottingham

ent century, and discussed by persons who scarcely knew whether its name of "Methuen" was derived from a person or a place. By this treaty, signed at Lisbon on the 27th of December 1703, "the King of Portugal on his part stipulates, both in his own name and in those of his successors, to admit for ever hereafter into Portugal the woollen cloths and the rest of the woollen manufactures of the Britains. . . . Upon this condition, that her royal Majesty of Great Britain shall, in her own name and that of her successors, be obliged for ever to admit the wines of the growth of Portugal into Britain, so that at no time, whether there shall be peace or war between the kingdoms of Great Britain and France, anything more shall be demanded for these wines, by the name of custom or duty, or by whatsoever other title directly or indirectly,—whether they shall be imported into Great Britain in pipes or hogsheads

Correspondence in Additional MSS., Brit. Mus. The reference to Methuen's connection with royalty is a mystery.

"LISBON, 5th September 1702.

"He [Methuen the elder] was here a long time before he could obtain an audience from the king, and then very cold and short—not half a quarter of an hour—refused the offer of his service, and desired to go away in a few days. However, he being so near a relation to the late queen, he sent him a fine jewel, but the other would not accept it, nor did he make haste to go till he had another message to go out of town, which put him in a great passion.

"It appears that the French party in Portugal is still fed with hopes, and it may be feared that our alliance with that kingdom depends on the success of the fleet."—Nottingham (vol. ii.) f. 178.

"11th September 1702.

"Thus the emperor and States minister did both suspect the King of Portugal's sincerity, and that his declarations proceeded only from fear of our fleet. That if our fleet could not take port in Spain, and there settle this winter, that Portugal would return to the French alliance."—*Ibid.*, f. 214.

or other casks,—than what shall be demanded for the like quantity or measure of French wines, deducting or abating one-third part of the custom or duty."

The writer of the most extensive account of the rise and progress of the trade of Britain with the rest of the world, having told us these conditions, with an enthusiasm unusual to him, adds: "This most just and beneficial connection has remained inviolable to this day, which has preserved an uninterrupted friendship and alliance between both nations,—and may it ever continue." He then cites King, in his dedication of 'The British Merchant' to Sir Paul Methuen, the son of the author of the treaty, as saying in relation to it: "We gain a greater balance from Portugal than from any other country whatever. By it also we have increased our exports thither, from about three hundred thousand pounds yearly, to nearly one million five hundred thousand pounds;" and the historian of commerce says in further comment—"Portugal has in return for our taking such vast quantities of their wines, constantly taken off a greater quantity of our manufactures, so as to occasion a considerable yearly balance in our favour; and our palates being long since so well reconciled to Portugal wine, the Portuguese for our supply have turned great quantities of their lands into vineyards."¹

This last item touches the consideration that the blessings of the Methuen Treaty were not limited to the furtherance of the war in Spain, or the enhance-

¹ Anderson—Historical and Chronological Deduction of the Origin of Commerce, iii. 19, 20.

ment of British commerce and wealth. It stamped on the national habits a great social characteristic. Burgundy, claret, and other light wines of France, thoroughly ascendant heretofore, sank steadily and rapidly under the preponderating weight of port. The liquor of a people is generally influenced by the vegetable materials that produce it, or peculiar cravings imperiously demanding what will satiate them. But here a great people chose their prime element of that kind of sensual enjoyment by the accident of a warlike and commercial policy. Never, perhaps, has any stimulant been so thoroughly incorporated into the character of a people as port has been to the true-born Englishman who could afford to buy wine. So thoroughly was it a part of the nationality of England, that when the conditions that created it passed northward into Scotland, it was received with lamentations and execrations, as one of the many evil things that the Union enabled England to force upon her partner, for no other reason but that they were thoroughly English.¹

Whether influenced by such genial associations, or promoted by the more august conditions of international politics as the source of peace and war, the ties that brought Britain and Portugal together ripened into fast friendship. Like all such relations between a great Power and a small, this took—but decorously—the shape of patronage on the one side

¹ John Home's rhymed denunciation is not perhaps quite so well known as it was a century ago:—

“ Firm and erect the Caledonian stood ;
Old was his claret, and his mutton good.
‘ Let him drink port,’ the British Statesman cried,—
He quaffed the poison, and his spirit died.”

and deference on the other. Every British minister who has had to pronounce a policy on the affairs of western Europe has counted on the support of Portugal; and there are people still living among us who remember how potent a position this gave us in our latest struggle with France.

In the meantime, the immediate object was to secure access to Spain; and while others doubted the success of the negotiations with Portugal, Methuen, who knew the tempting rewards he could offer, felt secure not only in the alliance, but in its practical efficiency and permanence.

He writes to Godolphin, that some of the Portuguese statesmen still lean to France, “and the others are very backward at taking those steps which will make an immediate breach, which hath given the French another opportunity to make a great deal of do and bustle. But I am very confident all the considerations in the world cannot in the least prevail against the King of Portugal; and I think I cannot be deceived in my judgment, and that your lordship may depend upon it that the moment the King of Spain arrives, everything will go on in the manner and with the vigour that your lordship can desire.”¹

Early in the year 1704 Rooke again hoisted his flag, and sailed with a land force of 8000 men, joined by 4000 Dutch. They bore Cæsar and his fortunes,—the young prince, fresh from that flattering reception at that court, where all that could materially help him to the great destiny assigned to him had to be done. They entered the Tagus to arrange affairs with Pedro of Portugal, who solemnly gave

¹ 12/23 January 1704, Brit. Mus. Addl. MSS., 28056.

precedence to the Archduke, as King of Spain and a greater monarch than himself. Portugal was not apt to offer Spain tokens of subordination; but the act might be likened to the courtesy that gives precedence to the guest in the great man's house,—and it was, on the whole, a politic arrangement. And this was the most important part to be played by Portugal in the meantime, since the military arrangements of the country made the gathering of an army, even to receive pay from English subsidies, impracticable. Whatever they supplied sufficiently visible to be called an army was crushed by Berwick, who, at the same time, took possession of the Dutch force under Fagel as prisoners of war. The English army seemed on the way to a like fate; and indeed a portion of them, in garrison in Castel de Vide in Estremadura, had actually to surrender, having to plead in palliation of conduct so un-English, that their Portuguese allies, finding them determined to hold out, had wetted their powder. We shall find the immediate causes of this disaster fully discussed in a curious conference between the King of Portugal and certain representatives of England. Meanwhile, through this slough of despond, we are approaching an achievement that has had a mighty influence on the destinies of the British empire.

The motions of the fleet under Sir George Rooke had somewhat of a restless and purposeless character. He stood off Barcelona, where he got flattering intimations of the desire of the Catalans to rise if they could count on his assistance; but the assurances he could give were insufficient for that end. It became his next object to protect Toulon from the French

fleet; but the French fleet was on its way to take rest under the cannon of Toulon,—and our admiral was censured by his countrymen for not intercepting and beating it on the way. At length, rather than return home with neither spoil nor glory, the idea of attacking Gibraltar grew and strengthened; and it was decided by a council of war that it should be so.¹

The great fortress was not only then bare of its present multitudinous defences, but all it had were trifles to the works that, under Elliot, scattered the shower of red-hot balls on the bomb-proof gunboats. The chief works were a line of small bastions running from sea to sea across the flat ground westward of the rocks. They were raised for defence against any army that might be landed in the low country, beyond reach of the guns for protecting the promontory. The chief artificial military works on the south for the protection of the town and the narrow stretch of country at the foot of the precipices were two moles

¹ Among Godolphin's papers, with no fuller title than "a proposal," is the following: "Gibraltar and Ceuta make the very mouth of the Mediterranean. The first—viz., Gibraltar—may be taken, and afterwards kept, much easier than Cadiz; for it's but badly fortified, and may quickly be made an island." "The bay of Gibraltar is capable of holding as many and as big ships as that of Cadiz; and, being in the very passage, may much better hinder ships and gallies into and out of the Straits than at so great a distance as Cadiz is."

"The Havanna being situated in the island of Cuba, in the narrow of the Gulf of Florida, the Spaniards have made the port the rendezvous of all their ships from all parts of the West Indies (except the Buenos Ayres); and here they supply themselves with all things necessary for their return to Spain. If this port were in the possession of the English, and that passage well guarded, it would put a total stop to trade from Spain to the kingdom of Peru and Mexico, and consequently make those people freely traffic with us and other Europeans."—Brit. Mus. Addl. MSS., 28058, f. 31.

or fortified piers,—the old mole to the west, the new mole to the east, of the town, with a wall or rampart uniting them. The British force was of great power and number for a fleet of the period. Besides frigates and other subordinate craft, there were forty-five ships of the line, carrying a fraction less than 20,000 men (19,503), and armed with 3158 guns. The fortifications were crumbling to pieces; but they sufficed to occupy the attenuated garrison,—apparently no more than 150 men. Some two or three hundred citizens of the town were assigned to posts; but it seems questionable if they were of any use. The Spaniards have had their share of fighting; but at that period they were about the most unwarlike people in Europe. Here it was our good fortune that they were so; but afterwards, when our troops expected to find in them allies animated with the bitter hatred of the opponents in domestic war, they found that the Spanish citizen could not be awakened to the realisation of the fact that he was expected to become a soldier. The two beings—citizen and soldier—were of different orders, and never acted together. This arose not from any Quakerism of sentiment against the shedding of man's blood: the Spaniard was only too ready for this feat under other conditions, but a sort of stolid stupidity stayed him.

The policy of the attack was to pour such a hurricane of shot on the narrow defences that they were soon left bare, the defenders either being dead or gone. A landing was then effected on the new mole head; and here came the only disaster to the assailants, in an explosion—whether of a small magazine

or a designedly laid mine—occasioning forty-two deaths. The other mole was taken without casualty; and there remained nothing for the garrison but to surrender on such terms as might be conceded to them.

The articles of capitulation were peculiar, as granted on Spanish territory to persons who were subjects of the King of Spain, and yet not to be treated as rebels or traitors. The officers of the garrison and the magistrates and gentlemen of the town, were permitted to go forth with their luggage unexamined,—each soldier might take what he could carry. Some arms were allowed for protection against casual dangers. All might remain who chose to accommodate themselves to the new arrangements and take the oath of fidelity to King Charles III. All were provided with bread, wine, and meat for six days. It was significant of the peculiar conditions of this capture, that all subjects of the King of France were excluded from the benefits of the terms of capitulation—to be dealt with as prisoners of war—and that the terms were signed by George, Landgrave of Hesse, as representing Charles, King of Spain, at war with Louis, King of France. There was an incident, however, more effectively significant, as breaking through the theories that all the more pedantically fell back on a right divine of royalty, when there was no human right to be relied on but the issue of the sword. On the same day—the 24th of July 1704—the Prince of Hesse took solemn possession of the fortress for his Majesty King Charles III., by hoisting the imperial standard. The sailor nature of Sir George Rooke

was too obtuse to trace the subtleties of this adaptation of the diplomacies of the Holy Roman Empire. So he ordered the imperial standard to be hauled down, and the standard of England to be hoisted in its place; and his orders were not to be wisely or even safely resisted.¹

The capture of Gibraltar created at home no such exultation as we might expect to find, when we look back on it through the national pride its peaceful possession has aroused in later times, and the thankfulness felt when it remained ours after each successive attack. It scarcely raised a responsive throb of satisfaction that the loss was terrible to Spain, as this only foreboded desperate efforts for recovery. The Government indeed became rapidly conscious that what had so lightly fallen into their hands must pass through a far more formidable ordeal if it was

¹ Tindal, i. 661-663. This account by Tindal is generally received as the most accurate; but it is adjusted, with faint alterations, from the Answer to the Duchess of Marlborough's Account of her Conduct, under the title of "The Other Side of the Question," p. 227 *et seq.* Burnet gives some incidents of the capture of Gibraltar not mentioned by those who had better means of knowing all that occurred. More curious to us of the present day than the incidents he tells, is the sneer raised in the telling of them, as a testimony to the current sense of the empty if not ludicrous victory over the barren rock. "Rooke, as he sailed back, fell in upon Gibraltar, where he spent much powder, bombarding it to very little purpose, that he might attempt somewhat, though there was no reason to hope that he could succeed. Some bold men ventured to go ashore in a place where it was not thought possible to climb up the rocks; yet they succeeded in it. When they got up they saw all the women of the town were come out, according to their superstition, to a chapel there, to implore the Virgin's protection. They seized on them; and that contributed not a little to dispose those in the town to surrender. They had leave to stay or go as they pleased; and in case they stayed, they were assured of protection in their religion and in everything else,—for the Prince of Hesse, who was to be their governor, was a Papist. But they all went away with the small garrison that had defended the place."—V. 157.

to remain there, and this led to a sort of dogged determination that it was right to keep what had been taken. So in an intimation of the transmission of supplies it is noted briefly that they are for "supplying the cannon at Gibraltar, which the queen thinks it is very much for her service to keep, though at an expense to her which should indeed be borne by the two kings of Spain and Portugal."¹

The first formidable ordeal of our capacity to hold what we had gained was the sea-fight known as the battle of Malaga, from a town some fifty miles eastward of Gibraltar. It was fought on the 24th of August. On the British side there were fifty-three sail of the line. The two fleets—British and Dutch on the one side, French on the other—seem to have been equally balanced in their respective weight of fighting-ships. The French had the assistance of a small fleet of the galleys peculiar to the Mediterranean, valuable for the remedy of disaster, but of little use for fighting even at that period. Although after a tough contest the French fleet sailed for Toulon while the British remained ready for renewed fighting, we had so little of the customary naval success to proclaim, that King Louis had a medal cast commemorating his victory over the English and the Dutch.² The real significance of the affair is that, had our fleet been beaten, Gibraltar would certainly have been lost.³

¹ Despatch to Admiral Sir John Leake, cited in Sayer's Hist. of Gibraltar, 130.

² *Anglorum et Batavorum Classe Fugata ad Malagam XXIV. Augusti MDCCIV.*—Lives of the Admirals.

³ From Sir Cloudesley Shovel, who commanded the van, we have the following short account of his share in the fighting: "Our num-

It was noted as a peculiarity of this battle, that though there was much hard fighting and bloodshed, no ship on either side was taken, sunk, or burned. That we failed in the infliction of such casualties on the enemy was attributed to a scarcity of ammunition; what had been expended in the taking of Gibraltar not having been re-supplied. That the British fleet presently returned home was spoken of as an evil omen, and balanced against the French fleet seeking safety in Toulon. But the comparison was inaccurate; for the French quitted the seas disabled from further contest, while on our side a detachment was left under Sir Cloudesley Shovel to guard Gibraltar, and the rest of the fleet was inactive only because no enemy could face it.

At home there was much unseemly disputation on this battle, and the proper acknowledgment of the services of Sir George Rooke. If they were to be acknowledged by Parliament, it provoked comparison that the news of Blenheim and Malaga arrived almost simultaneously; and certain indiscreet champions of

ber of ships that fought in the line of battle were pretty equal; I think they were 49 and we 53. I judge they had 17 three-decked ships, and we but 7. . . . We having the weather-gage gave me an opportunity of coming as near as I pleased—which was within pistol-shot—before I fired a gun, through which means and God's assistance the enemy declined us, and were on the run in less than four hours, by which time we had little wind, and their galleys towed off their lame ships and others as they pleased. . . . The ships that suffered most in my division were the *Lenox*, *Warspite*, *Tilbury*, and *Swiftsure*. The rest escaped pretty well, and I the best of all, though I never took greater pains in all my life to be soundly beaten; for I set all my sails and rowed with three boats ahead to get alongside with the Admiral of the *White and Blue*, but he, outsailing me, shunned fighting. . . . After the fight we were two days in sight of the enemy preparing for a second engagement, but the enemy declined, and stood from us in the night.”—Sayer, 123, D. of M., 234.

the naval hero arrogated for him something like equality in the scales with Marlborough. There were powerful prejudices on the side of Rooke; for it was not only navy against army, but Tory against Whig. Rooke himself brought discretion and peace into the affair by desiring that his friends would not press for parliamentary honours. Upon one point there seems to have been a negative unanimity, that if he were greeted with honours, it was not for taking Gibraltar but for fighting at Malaga.

On one idea there was a strong bond of union and public spirit among the Spaniards,—it was a chronic protestation against the dismemberment of the mighty territory that had been ruled by their sovereigns. The loss of Gibraltar was the beginning of dismemberment, and a mighty effort must be made, and made at once, to cancel the dangerous precedent. The contests in other parts of Spain were abandoned, and nine thousand Spanish soldiers, with three thousand allies from France, commanded by the Marquis of Villadarias and other heads of illustrious houses, began their intrenched approaches on the fortress on the 9th of October. They were assisted by a French fleet of twelve ships of the line and seven frigates. The besieged garrison numbered three thousand. Some improvements had meantime been made in the defences—especially in works for flooding the land approaches. The siege lasted above five months, with little to vary the usual monotony that is unavoidable in describing the slow pressure of the assailing force on the works of defence. Only one part of the fortress, called the Round Tower, was for a short period in the hands of the besiegers. There was an interrup-

tion to this dreary monotony in an attempt by five hundred Spaniards to reach, by intricate tracks and perilous climbing, a level on the cliff above the garrison and the fortifications. It was identical with the adventure of Captain Crawford when he seized Dumbarton Castle in Queen Mary's wars; but it was far away from the like success, for the adventurers were seen before they had descended to a spot where they could fight, and they were all either pitched over the precipices or taken as prisoners of war.

The siege and defence of Gibraltar were becoming a critical struggle in the great contest of the day, and the conclusion of it must make a crisis. Before the end of November the fate of the garrison seemed to be closing in. The assailants had gathered in numbers, and had vast resources for siege purposes. The garrison were approaching the end both of their munitions and food, when they received notice through Methuen, the British ambassador to Portugal, that two thousand men, with corresponding munitions, were on their way for the defence, and a third thousand would follow. The hopes thus roused were at the moment of utmost need realised by the sight of nine troop and store ships on the 7th of December. The besiegers were liberally recruited—some five thousand men joined them under the command of the French Marshal Tessé. But there was no central force for recruits to gather round and strengthen. The assailants were so worn down that each body sent to recruit them had to stand its own as a new army. On the 2d of January 1705, the Marshal wrote to the Prince of Condé, giving his impression of the situation in a shape to afford a spirited sketch of the

effect of the lazy mismanagement of the Spaniards, as measured by an officer of King Louis high in rank and capacity :—

"Here I am before the Pillars of Hercules; and this siege, which has been undertaken with more perseverance and spirit than means of securing success, would have been happily terminated if those means had been provided. But in Spain, to use the old proverb, we live only from day to day and think not of remedies till evil appear. I found the siege, indeed, farther advanced than I had reason to expect, notwithstanding the supplies of succours to the besieged, one instance of which I had the misfortune to witness. The English set us the example of keeping the sea at all seasons with as much tranquillity as your swans in Chantilly. But when the breaches had been rendered practicable, and only a few days were required to batter down what remained, our ammunition failed, and our useless artillery could not be changed. The squadron of Baron Pointé, without which the reduction cannot be completed, was detained by contrary winds. No convoy made their appearance—no cannon arrived—and, as a mere point of honour, a few shots only were fired every hour. Thus the enemy had time to repair their damages, while our army is almost annihilated. I was told that on my arrival here I should find twenty pieces of artillery and three hundred thousand pounds of powder; but the cannon are still at Cadiz, and I have no intelligence of the powder which was to have been forwarded from Toulon."¹ There is yet one incident of moment to be mentioned ere the attack is closed. Sir John Leake,

¹ Sayer—Hist. of Gibraltar, 144, 145.

bringing a small squadron for the relief of the besieged, found five French ships of the line rounding the southern point of the rock. As the batteries of Europa Point opened on these ships, the English commander saw that the garrison required no immediate aid from him, and that he was free to chase the French, and with such effect that he captured three vessels and burned the remaining two. On the 18th of April 1705, the active siege was dropped, the French returned to Toulon, and a remnant of the Spanish force kept up a pretence of hostilities in the form of a blockade.

The British indifference to the significance of Gibraltar as the key of the Mediterranean and an armed police establishment for the protection of the commerce of the empire, was not universal. Two men named Methuen, John and Paul—father and son—were an exception. It becomes necessary to introduce them as obscure and unknown persons, since, although great in their day, they have been permitted to lapse into obscurity by the negligence of those who have undertaken the function of saving all reputations worthy of that distinction. I am not aware of any biographical dictionary in any language where there is to be found a notice of either of the Methuens, though as statesmen they left their mark on their age. As it happens that they were descendants of an old and honourable race, their names are to be found in peerages, baronetages, and other genealogical compilations; but the sententious memorials of these registers of titles, offices, and estates, give but scanty revelations of the character and capacity of their heroes. We have found the name passing into

historical nomenclature in "The Methuen Treaty;" but that commits it to the doctrine of differential duties now condemned, although, as we have seen, that treaty had a period of glory. If we believe that all the people who failed to see in economic science what we see in it now, must have been failures in every other walk of intellect and action, we shall have to clear several generations out of the chambers of the temple of fame devoted to statesmen and political philosophers, leaving Adam Smith as their sole occupant, with an occasional visit from Turgot. Let us therefore, in the matter of Gibraltar, acknowledge that we owe to the Methuens the chief merit in the preservation of this prize during the early stages when its worth was unrecognised by others. John Methuen was ambassador at the Court of Lisbon when the fortress fell into British hands. He has thus noted his consciousness of the general indifference to the acquisition: "The news of the attacking of Gibraltar was beyond my expectation, but not the taking of it when they attempted it."¹

On the 13th October 1704, we find Methuen writing home to Godolphin:—

"I am very glad to see by yours to my Lord Galloway, the great pains you have taken about Gibraltar, for I believe the keeping of that garrison in our hands will be looked on in England as a thing of the last importance; and I hope that if the French squadron before it be only that which is designed to return to Brest, the season of the year will oblige them to remove from thence before they are able to take it."

¹ Brit. Mus. Addl. MSS., 28056, f. 145.

Again, on the 13th of October :—

" . . . Very uneasy on the subject of Gibraltar. I was ordered at the beginning to do everything necessary to the preservation of the place, and to spare nothing that might contribute to it. This, and the importance of Gibraltar to England, hath made me boggle at nothing of difficulty or expense to preserve it, believing that next week the ships, the powder, the ammunition, the officers, the stores, provisions, and other necessities, would come. In the meantime, not the least of these things is yet arrived."¹

He states that he has had to make heavy advances, and asks £6000 to account. Then: "I believe it not necessary to speak to your lordship of the importance of the place of Gibraltar—not only during the war, which the enemy show us enough by their winter siege—but after the peace. My opinion is, that if the circumstances of Europe should force a peace without the monarchy of Spain being left in the possession of Charles III., England must never part with Gibraltar, which will always be a pledge of their commerce and privileges in Spain. And should her Majesty be of another opinion—which I hope will never happen—the delivery of that place will always bring the sum of money the maintaining of it hath cost. And should we be so happy to succeed in placing our prince on the throne, it will be in our hands as a caution or security for the money her Majesty pays for him."²

He writes on the 20th April 1705 :—

¹ Paul Methuen, from the camp at Fuente Ginaldo, Oct. 13 N.S., 1704.—Brit. Mus. Addl. MSS., 28056, f. 176.

² Ibid., f. 254, 255.

"Gibraltar is now in the condition you can wish it—provided with everything—out of all apprehension of an enemy—and is certainly of the last importance to England. You will easily imagine that in the condition and manner it was left there is very little government or regular administration of anything, and in truth there is a great deal of confusion and disorder which was not possible to remedy in a siege. But I hope her Majesty will please now to settle proper officers and persons to have the charge of everything, and likewise to give immediate orders to make the place very strong—which may be certainly done and without a great charge. I hope your lordship will favour me so far that her Majesty may understand the great care and concern I have shown in the preservation of this important place, of which I ought to say no more than that, being out of my proper province, another man possibly would not have done it with so much eagerness, or would have waited for orders from her Majesty, in which case the place must have been lost twice over."¹

In history we cannot always command an abun-

¹ Brit. Mus. Addl. MSS., f. 260. It would seem, however, that not many months later this prize was endangered by neglect. In a copy of a letter "from Methuen" (it does not appear whether the father or the son) to Lord Peterborough, is this passage :—

"A great subject of your care will be the place of Gibraltar, which you will find in a very ill condition, both as to the number and the health of the garrison, the want of subsistence for the two regiments you left there, the backwardness of the works, the state of the provisions, and the want of necessities. Believing it very possible that the French fleet from Toulon may come out and attempt it when you are gone, I have done what I can, and in a day or two shall by litters, in defect of English ships, send 400 barrels of fine meal to make bread, barley, candles, &c., and all the money I can possibly get bills for in Gibraltar—not daring to send it in specie, there being no English man-of-war here."—Ibid., f. 335.

dance of material exactly proportioned to the importance or interest of the events. It is our fortune to be better instructed on the sombre history of the war in Spain, than on some of the glories achieved elsewhere; but there is a lesson to be drawn from the causes of failure and mediocrity, and therefore it seems good to put to use the means we possess of drawing them out of the special information available as to occurrences in the Spanish peninsula at this juncture. The parties to such conferences as we have here to open are generally shy and reticent as to their communications, and hence, when these happen to be obtainable, they are all the more valuable. We are not to expect in these the excitements of the battle and the siege. These we may find when, as the result of the secret conferences, Peterborough was let loose on the war-path. The employment of our national wealth in the subsidising of allies instead of spending the lives of our fellow-countrymen, in the great European contests, has often been a distinguishing feature in our war policy; and an opportunity of noting the interior mechanism of such adjustments should not be lost.

In the year 1704, John Methuen was our ambassador to Portugal. He had to leave his post to recruit his broken health, but his son Paul represented him at Lisbon, and wrote to him from time to time; and the father, when he wrote to Godolphin, seems to have sent him the letters from the son. It was the fortune of this young man to hold much communication and transact much business with two royal personages. One—the Archduke—had derivative lustre from the highest of all royalties, and

nominally had a royalty in itself not much inferior in the hierarchy of monarchs; but no titles or ceremonials of etiquette could hide the ugly truth that it was nominal and unreal, while the chance of its becoming a fact and a reality was precarious. If there should ever be realisation it would be accomplished by the troops and money of Britain, and therefore it was impossible to exact from the man who had the charge of these a rigid worship of the divinity that doth hedge a king, and imprudent to try to exact it.

So it came to pass that young Methuen had many conversations and consultations with these sovereigns on something like equality of terms. It was the enacting on a loftier scale, of the ever-fresh food for comedy, when the young patrician prodigal has to encounter the hard, unsympathising, undeferential moneyed man of the city, who knows his power, and cannot prevail on himself absolutely to hide the consciousness of that knowledge. If money has been obtained and more is wanted, the situation is peculiarly adverse to the maintenance of a deferential awe. The King of Portugal had received money already, but he was sorely in need of more.

A radical constitutional condition in the administration of the kingdom seems to have paralysed the conduct of the war at its commencement. This was the distribution of the country into provinces, each with a governor, who, however he might count himself subordinate to the king, was not under the order of a supreme administration. The centralisation necessary for the conduct of great military operations could not be achieved, and the armies—both British and Portuguese—fell into scattered and separated

groups. On the 16th of June 1704, Paul Methuen writes to his father: "The 12th, as soon as I had ended my letter to you, I waited on the King of Portugal, and in the afternoon on the King of Spain. Both of them received me with great kindness and civility, especially the King of Portugal, who expressed a great deal of joy and satisfaction to see me. The next day I presented the Marquis of Montandre to him, whom he received courteously and praised very much. I have ever since waited on him, at least once every day, and had yesterday the opportunity of discoursing with him above an hour. In these audiences I represented everything to him in the manner you ordered me, and with all liberty and freedom, as I think the present condition of affairs requires—to which I was the more encouraged by the manner in which he received me, and by his desiring me to speak very plainly. I told him that it was visible to all the world, and that it would appear so to all Europe, that the ill posture his affairs were in did not proceed from the superior strength of the enemy or from the weakness of his forces, but merely from the ill-conduct and neglect of his ministers and generals in separating his forces in such a manner as had made it impossible for them to be got together in time and in a body able to oppose the enemy; and in leaving his frontier towns in such a manner as has rendered them unable to make any defence for want of provisions and ammunition; which made it now no longer strange to you as it had often been before, that his ministers should make that use of your illness which hindered you from waiting on him, as to keep you by that means

in ignorance of what had passed, by not communicating to you the resolutions of his council, and the orders that were sent to the generals in their several provinces, which, if one may guess by the event and success of things, must have been such as your zeal for his service and knowledge of affairs would never have suffered you to approve. That the Queen of England's interest being in all respects the same as his, and her Majesty having a considerable body of her own forces here on his service, it did not appear reasonable that anything that might conduce to the good of the service and the common cause should be kept secret from her ministers whilst she was at so prodigious an expense for carrying on this enterprise, and whilst his Majesty was pleased to say that his only dependence in case of any ill turn of affairs was in her further help and assistance."

We may believe that the King of Portugal was not accustomed to lectures, discharged on him after this fashion, by an obscure, undecorated young man; and we may be sure that nothing but a keen appreciation and a fervent hope of further subsidy would have enabled him to endure it. His defence was made in the acquiescent and apologetic tone that affords the smallest hope of energetic amendment. Yes, the whole affair had been blundered by those it was intrusted to; but this came of inexperience, not lack of zeal or fidelity. To the charge of not communicating all things to the English ambassador, the king, like a superior who has to work with bad subordinates, pleaded "that he had constantly ordered his secretaries to give you [Methuen] an account of what passed, and that if they had neglected

it, they had been wanting to their duty ; so that it was no fault of his if they had not done it, and that for the future he would take care that neither of us should have any reason to complain on that score."

It might almost be inferred that throughout this by-play the young diplomatist had been testing the condition of the king's temper for enduring humiliation and interference before bringing up against him a weighty charge involving injury and insult to England—such injury and insult as justified the demand for serious interference with the independent sovereignty of Portugal. The king or his ministers had forgotten the wide difference between British troops and their own trash of conscripts, and in the negligence of the general tactics of the war had exposed them uselessly to risks, if it were not indeed that one whole regiment was already lost and another in imminent peril. The ambassador looked to possible personal responsibility at home for this, and the son prepared the way for a suitable defence by bearding the offending sovereign thus :—

"I represented also to the king the strange condition that the province of Alentejio had been left in, notwithstanding the daily assurances that his ministers had given us of the great care that had been taken to provide that province with all things necessary, as that from which it was intended that we should enter Spain. That nothing could be more strange than placing of our English regiments in quarters at so great a distance from one another, and their not getting them together in a body in time, by which means the small body of our forces had been hindered from doing any service, by their being

divided in the same manner as his Majesty's forces ; whereas, if our eight regiments of English foot that are here, and the six Dutch regiments, had been kept together in a body and posted at Villa Velha or any other place thereabouts upon the river, they would always have been able to maintain their ground against the Spanish army, and secure a communication between Beira and Alentejio, the want of which, has been the greatest cause of our misfortune and the progress of the enemies. That nothing could be more unaccountable than the exposing—and sacrificing, if I might use that word—two of our best regiments in Porta Legra and Castel de Vide, notwithstanding the Duke of Schomberg pressing the Condé das Galveas to withdraw them in time. That the Condé's conduct in doing it never could be justified or approved by any man who knew what war was ; and that the loss of these regiments—one of which was already lost, the other in great likelihood of running the same fortune—would be very much resented in England, especially when it should be considered that there could be no necessity of exposing these regiments in places that of themselves, and by the little care that had been taken to provide them with anything that was necessary for their defence, are incapable of making any resistance. That what made me the more concerned at this piece of ill conduct was, first, the positive orders I had from the queen to insist positively on our forces not being divided ; and next, the great noise this news would make, and ill effect it would have in England."

It is satisfactory to find that the "loss of the

regiments" does not imply either that they were cut to pieces or made prisoners, but they were meanwhile lost to the service by the capitulation of Castel de Vide, as to which it was told to Methuen by Fagel: "It was taken by capitulation, the garrison being to march out with all the marks of honour, and be conducted to Abrantes, but under an oath not to carry arms against the Duke of Anjou in a year's time." And here, again, having on the 30th of June to note this calamity, the Englishman cannot restrain his bitterness at his country having suffered so dire a humiliation from whatever cause: "I shall not repeat to you what I have said to the king about the loss of these two regiments, but I assure you he seems as sensible as you or I can be how great a misfortune it is, and how much the Condé das Galveas is to be blamed for exposing them. I thought it my duty to let him know how great a noise it would make, and with how much reason this usage of our forces would be resented in England."

The king admitted that all was too true. He had nothing to say in palliation, save that the fault was not his—he had been ill served; and nothing to say in retaliation, except some bitter taunts aimed at Schomberg, who was an officer in the British service, but had no friends there.

The conclusion reached by Methuen was, that it did not suffice that the British representative should be told what was done by the Portuguese Government in the matter of the war; he must be admitted into the inner councils of the Court so as to have a voice in the policy adopted, or, as he puts it—"I

took this opportunity to desire him for the future to order the Secretary of State that he should communicate to me as well the news that his generals should write, as the resolutions that should be taken in the Council of State, and the orders that should be issued out in pursuance of them. This he promised should be done."

So much for the future; but there remained the question of correcting the sad mischief that had been done, and Methuen, under his weight of anxiety, writes to his father, saying: "I have pressed, above all things, the joining of our forces in one body, because I really believe that, without it, it will be impossible for us either to defend ourselves or to do the enemy any harm; and I have therefore begged and entreated the king to prefer that before any other design in the world, for I am every day more and more convinced that the safety of the kingdom depends entirely upon it. He and all his ministers assure me that they think of nothing else; but I shall never be at rest until I hear it is executed, or, at least, till the Marquis das Minas is joined with Monsieur Fagel." The point of danger is "the enemy's bridge at Villa Velha," "built with planks upon wooden boats;" it "is well fortified on both sides of the river, and a detachment of their army is left there to guard it. The King of Portugal's present intention is—if I may credit the positive assurances he and his ministers give me of it—to join all the three bodies as soon as possible, and to begin with that under the command of Marquis das Minas with Monsieur Fagel, and then either to order them to march and join the Condé das Galveas, or else to

send to him to come and join them." And separately a representation from the commanders of the British forces having reached the Court, telling that "Porta Legra being taken, they are left exposed at Estremos, the king has ordered the Condé das Galveas to march with all his forces and incorporate with them, having ordered a very civil letter to be written to our officers to let them know how much he relies upon their bravery and conduct, in very obliging terms."

All this was dated on the 16th of June; and next day, still like a true Englishman, haunted by the fate of the two regiments as the prime consideration, he says: "I have made the king as much ashamed as sorry for the loss of the two regiments; but what are we the better for that? I am in a continual fright for the Marquis das Minas, fearing that his fiery temper—the reflections that have been cast on him for lying still so long, together with the success he has had—will so far transport him as to make him go too near the river, and lose time in forcing small parties of the enemy, whereby he will give the whole body an opportunity to pass the river."

On the 18th he has reason to renew his distrusts even more emphatically, hinting not only at incapacity and indolence, but at mendacity and treachery. He has a letter from Das Minas, and "this letter being dated the 13th of this month, and from the same camp near Monsanto as that of the 11th, makes me tremble for the army under his command, and revives the fear I had that he would lose time, and suffer himself to be amused by the enemies, till they fall upon him with their whole army. If you please to look on the map and consider the situation he is in, and that the

whole army of the enemies, with the Duke of Anjou at their head, was encamped, on the 14th, at a league's distance from their bridge at Villa Velha on the other side of the river, having laid by for the present their design upon Castel de Vide, I believe you will be of my opinion. As soon as I received a copy of this letter, yesterday in the afternoon, I could not forbear going again to the king, and telling him plainly my thoughts upon it. He did all he could to persuade me that I had no reason to be so uneasy, and that the marquis had the most positive orders that he could give, not to let anything in the world divert him from joining Monsieur Fagel. This is what they tell me. But I am afraid that either he has not such orders, or that he will not obey them. Howsoever, the king and all his ministers say that, though the Spaniards should march to attack the Marquis das Minas, yet he may safely retire himself and be out of danger under the cannon of Peñamacor. You will judge better of everything than I can explain it you, upon casting your eyes on the map; but I see no likelihood of the marquis joining Fagel if the enemies are pleased to hinder it, as it is to be supposed they will. And by what knowledge I can pick up of the country, if they beat the marquis, we have no post between us and them which we can defend but Tuneos, Punhete not being capable of it. In short, I have persecuted the king so much on this point, that I can say no more; and let what will happen, I have done whatsoever lay in my power to prevent it, and make him and his ministers sensible of the ill consequences it would have."

But in the midst of these suspicions and acrimonies,

the destinies of the contest were silently wafting to the spot a power that would neutralise the petty successes and misfortunes that might be in store for the small land forces facing each other. On the 20th, young Methuen tells his father,—“Yesterday morning about nine of the clock, I received your letters of the 16th and 17th, and thereupon, as they came to my hands, I went directly to the king to acquaint him with the arrival and strength of our fleet, as well as the instructions and orders our admirals had, and the necessity and importance of their joining as soon possible; till which time it would be very unsafe for them to part with any number of ships upon any service; and after which they would, according to the queen's orders, concert all their measures and operations with him and the King of Spain.”

The British fleet, with the Dutch allies, made the bulk of the force available at sea for fighting the cause of the Austrian succession, and it would take under its wings such petty naval contributions as their party in Spain, with Portugal and the other allies, could supply, making practically a powerful sea force available for great objects. But to hold a small share in a vast European contest did not suit the views of monarchs like the King of Portugal. He was the owner of so much fighting power, to be let out at the highest profit it could bring. It was difficult indeed for the minor constituencies of the Grand Alliance to understand the awfully critical nature of the game for England. It seemed a Quixotic war for an abstract principle such as the balance of power. It was in reality a struggle for free national life, with

the Stewarts restored by the bayonets of Louis as the forfeiture. Looking to how he could most profitably use his good fortune in having a friendly fleet at hand, the King of Portugal suggested a thoroughly practical scheme. Certain vessels laden with colonial treasure were on their way from Brazil. They were liable to be seized by French war-ships. What could be a better use of the fleet than the protection of this treasure? Accordingly, if the king had his way, a detachment would be sent on this service, dividing the fleet as the army had been divided.

Methuen tells his father the tenor and result of his farther conference with the king: “I was at least three hours with him, the first of which was spent in talking with him alone—and the rest with him, the Marquis d’Alegrete, and Diego de Mendola. All the arguments I could use, could not so far convince the king of the necessity there was that our fleets should join without any further delay, or weakening themselves by the detachment of any squadron—and that his Brazil fleets were secure from any attempt of the French—as to make him in any ways easy. It would be to little purpose to repeat to you what was said on both sides, but I think that I did not omit anything which was proper to be spoken on this subject, though with the mortification of seeing the king’s mind so strangely prepared beforehand, either by his ministers here or by the letters of those from Lisbon, that the most weighty reasons in the world had no effect upon him. So that, after having entertained me with a long discourse about the ill consequences the loss of the Brazil fleet would have—of which I still acknowledged myself to be as sensible

as he could be,—he concluded by telling me that he gave his fleet for lost, and his kingdom with it, unless the admiral would leave a squadron here sufficient to defend it, and that should go immediately in search of it, as we were obliged by the treaty—this service admitting no manner of delay, and it not being possible to defer the execution of it till the fleets were joined; because in all likelihood the Brazil fleets would be lost before that time, being hourly expected.”

As there was something in all this like a threat that the king would charge the young man with the formidable act of intercepting the performance of treaty obligations by England to Portugal, he desired specific information on the point, and was told that D'Acunha had intimated from England that Sir Cloudesley Shovel had been sent with twenty-six sail of the line, “of which eight were to be left here at the king's command, according to the treaty.” And on the specific point of danger this was to meet, there was “a letter from Mendo de Foyer, in which he tells the king that the French king had sent for fifteen of the most famous privateers in France to Paris, and that it was supposed to be in order to form a design against the Brazil fleet. As to the first, I told the king that I could not think what Don Louis wrote was from the mouth of the queen or any of her ministers, but rather it had been picked up by common report. I did all I could to persuade the king how unlikely a thing it was that any number of privateers of a sufficient strength to attack his fleet should be fitted out at present, when all the world knew that they had been all called in to man their men-of-war.”

It was possibly a sagacious idea of the king that an Englishman would be more under the influence of parliamentary action than imperial dictation. Accordingly, Methuen was called to a *junta* where the ministers of the two kings were in hard discussion on the matter. But this did not seem to accomplish the king's object, for the *junta* embarked on discussion, and even among Spanish and Portuguese statesmen discussion brought variance. There was a general understanding to request the elder Methuen to do what he could to obtain a detachment for the protection of the Brazil fleet. And as to further steps, “all of them differed something in their opinions; however, they all joined at last in voting, that first the two fleets should endeavour to join, and next, they being joined, should make some attempt upon Cadiz, or some other place on the coast of Andalusia, as the part of Spain where they might easiest do it, and where any such attempt would either succeed by the ill condition they were left in, or at least oblige the Spaniards to withdraw part of their force from the frontier of Portugal. This was the general opinion, and it prevailed, though opposed by the Duke of Cadaval and Prince Lichtenstein. The first would have had the squadron now at Lisbon make the attempt immediately on Andalusia, without staying for the junction, and the last was for the fleet acting wholly in Italy and the Gulf of Venice, as the most proper place.” So it fell to the young man left to act for his sick father, not only to have conferences with two kings, and confidential visits from so important a magnate as Prince Lichtenstein, but to assist at a *junta*; and the opportunities so afforded him have enabled him

distinctly to describe those difficulties in our wars and alliances that have been so frequent, yet have seldom been more distinctly described than as arising out of incompatibilities in national character and institutions. Methuen, however, instead of enjoying his dignities, is tired out by "the strange irresolution and disorder that reigns in our councils here," and prays to be relieved of his oppressive responsibilities. He gives a concluding touch to his abject picture by telling that while the enemy are so helpless as scarcely to threaten resistance, yet if among the friends "things go as they have done hitherto, in a continued series of disorder and confusion—with nothing but ignorance and irresolution in our councils, the orders given one day being countermanded the next, and the generals acting without any certainty of the strength or motions of the enemy, or any measures concerted among themselves—what can be expected but that, instead of entering Spain whereby we may have an opportunity to try the inclinations of the Spaniards, we should soon lose the hopes of that together with the kingdom of Portugal?" The whole affair has a characteristic conclusion. "In my last audience the king told me in great confidence and secrecy, that seeing how impossible it would be for him to continue the war if the French sent more of their forces this way, unless England and Holland assisted him with larger supplies of men and money, he had, though he confided much in Don Louis d'Acunha, ordered it to be debated in his council whether, upon this extraordinary occasion, he should not send another minister to England; and that so soon as the councillors had given their opin-

ion, he would acquaint me with his resolution." The reason for all this condescending confidentiality is revealed in the king's hope that Methuen will give his influence in prompting British liberality; but on the question whether the king has succeeded in gaining him as an advocate, the young man is discreetly silent.¹

That branch of the great contest which lay in the besieging of the English Treasury for money to support it, seems to have been very industriously pursued by the Archduke himself—King Charles as he of course calls himself in his solicitations. He has left behind him several specimens of composition such as in a "complete letter-writer" might stand as examples of the royal begging letter. These are curious in their generic resemblance to the appeals of the humbler class of applicants, who see a situation that may be secured, or a run of luck that may be followed, if the generous friend who has so kindly assisted him hitherto, would but come forward again.²

It cannot be charged against the Archduke that he begged without the plea of necessity. This brief passage is in the tone of the correspondence of the period: "The King of Spain is reduced to so low an ebb

¹ The letters which have furnished the information in the text will be found in Brit. Mus. Addl. MSS., 28056, f. 84 *et seq.*

² Take, for instance, the following passage from a letter addressed to Treasurer Godolphin, from Barcelona, on the 17th of May 1706:—

"Une assistance médiocre des troupes et d'argent bien employé, fera un plus grande effet dans la conjoncture présente, que peut-être une armée, et plusieurs millions, dans une autre. J'espère, my lord, que vous faires une reflexion sérieuse sur l'état de mes affaires, et que vous contenueres de vos puissants offices a ce, que la Reyne votre maîtresse m'assiste promptement de sa générosité pour l'achèvement d'un œuvre dont elle aura toute la gloire et moy une perpetuelle reconnaissance."—Brit. Mus. Addl. MSS., No. 28056, f. 143.

of money, that I am forced to beg your lordship to recommend to her Majesty the supplying him with a further sum till some way be found of settling a maintenance on him, of which I shall not trouble you now."¹ And here is Methuen addressing Peterborough: "The king and his ministers, both in this and the last council, and severally in particular with me, have made several complaints of want of money to subsist their family. I have referred them to your lordship when you should meet at Valencia; but now that another route is resolved upon, they have renewed their instances with me to apply to your lordship, which I have promised to do. It is certain they are in the utmost straits. I must confess I have all along wished, and did endeavour, when I was in England, as much for your lordship's sake as theirs, that something certain might have been appointed for the king's domestic expenses, being persuaded that the want of such a regulation must be an eternal handle of discontent to men who think they have a right to everything, and that whatever is not given is refused by your lordship."²

And indeed we can hardly be surprised at these symptoms of a creed—still prevalent in some parts of the world—that Englishmen of a certain standing have at their command an inexhaustible Pactolus of gold—when we find Peterborough presenting the following antithesis to the sordid greed he chafes against: "I am resolved to make one effort more to see if anything can touch a German heart. I have

¹ Ambassador Methuen to Godolphin, 3d November 1704.—Brit. Mus. Addl. MSS., f. 190.

² Mahon—War of Succession, App. p. 18.

received a good sum of my own, and credit; the king and his troops shall have every farthing of it, and I will send it in gold to our expedition at Saragossa, as likewise a thousand pistoles for the Portugal ambassador."¹

It was the peculiarity of the pecuniary needs of "the King of Spain," that they were aggravated by success; or, taking it otherwise, that he pleaded his brilliant prospects to show that liberality might be a safe investment.² There seems to have been still another feature characteristic of this imperial petitioner as of the smaller men who haunt the steps of the freehanded. Considerable sums passing into his hands had a faculty of becoming instantly absorbed, no one could tell how. Even that sagacious man, Paul Methuen, who, if he had not been an excellent man of business, especially in pecuniary matters, would never have been trusted as he was by Treasurer Godolphin, writes thus: "Besides this donative of a hundred thousand pistoles [by the Cortes of Valencia], the king has constantly received the rents of all estates belonging to those who have not acknowledged him as king, some of which, belonging to the Duke of Medina Celi, the Marquis d'Aytuna, the Duke of

¹ Mem. of Peterborough, ii. 280.

² On the 17th of June 1706, he writes again to Treasurer Godolphin with this exulting opening: "My lord, vous serés surpris de ce que les ennemis ayant abandonné la Catalogne comme la Valence et tout l'Espagne dans la dernière confusion après les succès d'Alcantara et de Barcelonne." He has gained four thousand foot and five hundred horse from deserters, and on account of this new burden, and because he finds himself "dans une extrême nécessité" to support the expense of his Court, he is constrained to say,—"*Ainsi, my lord, vous me faires un grandissime plaisir en entremettent vos offices auprès de la reine pour qu'elle aye la bonté de me vouloir bien assister de sa générosité pour la subsistance de ma dite cour et troupes.*"—Ibid., ii. 285.

Cardona, and others, are very considerable—to which may be added the plate of all the nobility voluntarily offered to the king and lent him to be coined for his use; and it now appears how this money has been laid out, for he still owes to private persons, as I have been informed, for everything that has been employed for the subsistence of his person and family, so that it appears very strange that they should pretend—as they actually do—that they are in great want, and cannot go from hence unless my Lord Peterborough let them have more money.”¹

What, in services to the common cause, or in any other shape of value, had been given for the sums already paid to this regal solicitor, may be inferred from the following note by the elder Methuen of 31st May 1704:—

“For the money for the King of Spain I have been torn in pieces, and indeed the number of deserters, horse and foot and officers, is very great; and the King of Spain leaving Lisbon this day, the service will suffer. I have paid the Almirante eighty thousand dollars, although I have received only those bills of ten thousand pounds which Mr Fox sent Mr Morrice. Yet the King of Spain and all his Court having been fully filled with notions contrary to the truth, have given me all the trouble and vexation possible, and remain enraged against me, believing that I have the money here; and finally, the Almirante yesterday hath sent me a letter which contains a protest against me in the name of the king, which I have enclosed a copy of in the original, which is so strong as hardly

¹ Letter, Paul Methuen to his father, printed in *Letters and Despatches of Marlborough*, ii. 273.

to be translated, that your lordship may see that they understand the queen's orders are positive to pay them all the money without restriction; that I have formed conditions and limitations; and, in fine, that I have the money and refuse to give it them.”¹

And then, after all, had the co-operation of the King of Portugal in the cause been secured, either by his promises or by the money he had received? Was it possible that even that money might be spent in the cause of France?

In January the elder Methuen had written, saying:—

“I have all the satisfaction a man can have, that the King of Portugal will, without any respect to the places he is to have, or to any other motive whatsoever, begin to act immediately, and endeavour to proceed directly into the heart of Spain, to Madrid, in such manner as to our own officers shall seem practicable. For this end, every thing and person now here is sent already to the frontiers, and disposition of all our forces to be carried there directly without coming on shore at Lisbon. I have, while I am now writing, a person of the greatest confidence sent to me by the king, with the full assurance of it, and with the notice that his minister hath orders to retire from Paris, and hopes that the French ambassador will in a day or two be desired to retire from this Court.”²

In July his tone—whether from the sickness he had been suffering or external facts—is far less confident. He writes from Lisbon on the 23d of July 1704: “I am much mended in my health;

¹ Brit. Mus. MSS. *ut ante*.

² *Ibid*.

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¹ Brit. Mus. MSS. *ut ante*.

² *Ibid*.

and although I am relieved only so far as to creep about with a little help, yet I will go immediately to the King of Portugal in hopes to settle those things he hath assured my son of before he resolves to prosecute his first designed attempt of entering Spain by Old Castile—which the Almirante presses extremely.

"But what makes me absolutely resolve to go is to endeavour to obtain a public declaration of war with France; for the great ministers who opposed our treaty and the war are stronger and more violent of the party of France than ever, and that no one whatsoever hath ventured to say a word to the king in favour of France or against carrying on the war with more vigour. Yet, since I see the same persons to be still, and to own to be, of the same opinion, yet continue in the administration of affairs,—knowing well the arts of France, I cannot but be very uneasy till I see the king get the necessary methods settled that may make us hope for better success."¹

Whether or not our own difficulties with our allies could have been extricated by a good general, it is certain that our chief in command was a bad one. He was a man with nothing to recommend him but his ornamental title of Duke of Schomberg. The name was mighty in battle, first in Henry the Great's hero—who belonged to a different race—and afterwards in King William's, who was killed at the battle of the Boyne. The son of this latter—the man now under judgment—proved signally that military capacity is not invariably hereditary. It became necessary, indeed, that he should resign his command

¹ Brit. Mus. MSS., 28056, f. 128.

amid conditions that make the acceptance of a resignation only a euphonious name for dismissal.

The affair of Schomberg is a warning against the appointment of any one who has not been well tried in the higher grades of military service to the chief command of an army—a warning especially against reliance on the belief in hereditary capacity for so perilously responsible a function. It has to be said in palliation, if not in vindication, of the selection, that it was made at the desire of the King of Portugal, and was among the diplomatic concessions or sacrifices for securing the king to the Grand Alliance. It was a further mitigation of British responsibilities in the selection, that the King of Portugal admitted, and indeed loudly proclaimed, the unfortunate selection he had made, and implored that Schomberg might be recalled ere more mischief came of his incapacity.

Methuen, writing on the 6th June 1704, says: "As to what concerns Duke Schomberg, I find that the king's ears are always filled with complaints against him by all the letters that come from Alentejio, as well as by all persons who come from thence; and the king has in his turn filled mine with the same, inveighing bitterly against his pride and obstinacy, lightness, irresolution, disobedience, and incapacity, and lamenting the misfortune of his coming hither, and his having desired it. He is accused of suffering the English to destroy the country and oppress the peasants contrary to the reputation those of our country that served in the last war left behind them, and the king seems resolved not to bear with him much longer. I told him that he knew very well

that before his departure from Lisbon I had told him, that the chief reason why the queen sent him being because he had desired it, he might be sure that she would recall him the moment he would signify to her that he was not acceptable or had not behaved himself well. That when he had taken such a resolution, the sooner he let the queen know of it the better it would be for the service; and that I thought the best method of doing it would be to order his envoy in England to speak privately to the queen alone and let her know the truth, and the reasons why he did not think the duke fitting to serve her in this country; but that in regard to his father's merit, who deserved so well from both crowns, and the present duke's quality, it would be proper to find some specious pretence to recall him without dishonour."¹

There is reference elsewhere to the grave charge brought by Methuen against the Portuguese authorities of having so broken up the contingent of British troops, that two regiments having been cut off from the support of their comrades, had no possible alternative save extermination or conditional capitulation. On afterwards referring to this, Methuen says: "I also hinted to the king how shameful a thing it was that Prince Tzerclas had been able with so rascally a body as that under his command, to range up and down the country and do what he pleased, without the least hindrance or opposition from us. To all this the king answered that he was very much concerned at the ill conduct of the Condé das Galveas, which he neither could approve nor would pretend

¹ Brit. Mus. MSS. *ut supra*.

to justify. That as to what regarded Prince Tzerclas, the Condé laid the blame of his not having attacked him as he ought upon Duke Schomberg, who made it his business upon all occasions to magnify the force of the enemy and thereby diminish the courage of our troops; that he disobeyed him in everything; and that he had demanded and retained so vast a number of mules and carriages for his own baggage, that it had rendered it impossible for him to accommodate the rest of the army with those that were absolutely necessary for them."¹

¹ Brit. Mus. MSS.

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¹ Brit. Mus. MSS.

CHAPTER X.

*The War in Spain.**(Continued.)*

GALWAY IN COMMAND—PETERBOROUGH ARRIVES AND THROWS NOVELTY INTO THE WAR—THWARTED IN DESIRE TO SEIZE MADRID—SIEGE OF BARCELONA—SEIZURE OF THE SEPARATE FORT OF MONTJUICH—CHARACTERISTICS OF PETERBOROUGH—CAPITULATION OF BARCELONA—PETERBOROUGH WRITES TO THE QUEEN—HIS TRIUMPHAL PROGRESS INTO VALENCIA—PETERBOROUGH'S IMPETUOSITY AND GERMAN SERENITY—THE THEATRICAL NATURE AND FUTILE RESULTS OF PETERBOROUGH'S TACTICS—EFFORTS TO RECOVER BARCELONA—PETERBOROUGH EFFECTS A RELIEF—HIS POSITION AND CONDUCT AS A NAVAL OFFICER—THE MIGUELITES—CAPTURE OF ALICANT—PETERBOROUGH'S PERSONAL ADVENTURES—THE WAR AS TOLD IN THE 'MEMOIRS OF CAPTAIN CARLETON.'

THE recall of Schomberg, and the arrival of the gallant Huguenot, De Rouvigny, Lord of Galway, brought light and hope to the anxious English ambassador at Lisbon.¹ It seemed to impart to him

¹ "The safe arrival of my Lord Galway yesterday is so great an incident in our affairs, and from which I hope so great a change, that I have spent much of my time since in informing him of the state of everything here, as I shall always do, and act nothing but what I shall communicate to him—and for that reason I have not pressed the Portuguese ministers to settle the points of carriages, forage, and hospitals, till I might have his assistance."—Ambassador Methuen to Godolphin, Lisbon, August 11th 1704; Brit. Mus. Addl. MSS., 28056, f. 140.

cheerful views even of the condition of the Portuguese army. "The King of Portugal is gone this day from Coimbra, and by a letter I received from my son, of the 8th, he seems to think that things are better disposed for the provision of the army, and to be fully assured that the army now on the frontier, when joined by our six weak battalions, will be upwards of twenty thousand effective men; and by the accounts of our officers who are now there, the foot are very good men and under pretty good discipline. My Lord Galway intending to go to the King of Portugal in two or three days, you will soon have a more satisfactory account." If by the term "satisfactory," distinctness only was anticipated, the anticipation was closely fulfilled by Galway's concise denunciation both of officers and men as worthless.¹

We have now to follow the army across the river Guadiana to the futile siege of Badajoz. There was a threat rather than an attempt to besiege Ciudad Rodrigo; and from the camp near Almeida, where the two kings were present, the ambassador thus renders account of the force:—

"We lie here encamped in two lines, with our artillery behind us, and our left wing extending almost to the walls of Almeida. The army consists of thirty-two battalions and thirty squadrons—all regular forces, no auxiliaries having yet come up, though several regiments of them are expected."

¹ "Leur cavalerie qui estoit assez mauvaise, est ruinée par celle expédition; les officiers assez indifferents; et généralement leurs troupes mauvaises."—From the De Roubetta, 8th October 1704; Brit. Mus. Addl. MSS., 28056, f. 171.

Fully 12,000 foot and 3000 horse; enemy not above 6000 foot and 4000 horse.

"The great difficulty is water, it being impossible for us to reach the river Agueda in one march; besides which, if we could, we shall not perhaps find the enemy in humour to let us drink at it, for which reason my Lord Galway and Monsieur Fagel went on the 23d with a party of horse as far as three leagues to the right in order to see if they could find any water, and yesterday a party of Portuguese horse went as far to the left with some of our officers on the same errand; but neither of them could find any sufficient quantity, the sun having dried up all the fountains and springs thereabouts."¹

We are here on the way to Ciudad Rodrigo, but the army wheeled to the right, and passed in a long march southwards to cross the Guadiana and attack Badajos. There was a delay of some months, and in the meantime the fighting at Badajos brought no glory to any one, and the affair became memorable only for a casualty to the commander, Galway. A portion of the troops showing signs of confusion, he and Carleton were looking to the condition of the defences, and stood on a raised stone-work holding each up a hand signalling order. A cannon-ball passed between them: it tore the lace from his companion's uniform, but it carried off Galway's right hand.

The ambassador thus reported the event to Sir Charles Hedges:—

"I received the ill news that on the 11th, in the afternoon, upon an occasion of a great disorder by

¹ 25th Sept. 1704—Brit. Mus. Addl. MSS., 28056, f. 159, 160.

the blowing up of some powder in the battery, my Lord Galway went thither, and an unfortunate shot from the cannon in the town carried away his right hand, so that his arm was forced to be immediately cut off a little below the elbow." Fagel had left the army, but was called back and told of Galway's arrangements for compelling the enemy to fight if they attempted a relief; "and the same 11th, in the morning, my poor Lord G. went on horseback with Monsieur Fagel and showed him all the posts our army were to take, and the way they were to march if the enemy came to the bridges and fords where the several lines were to pass the Guadiana."

And thus to Godolphin:—

"You will be much concerned to hear that on the 11th past, my poor Lord Galway's zeal carried him to the battery to appease a great disorder, and that a cannon-ball from the town carried off his right hand, so that his arm was immediately cut off a little below the elbow. I cannot express to your lordship my trouble. My lord's age, ill habit of body, tendency to dropsy, and great loss of blood, made me look on him as lost. But he is in the most fair way of recovery, and with the greatest courage and spirit imaginable, like a man *piqué au jeu*, more earnest and more desirous to serve than ever."¹

The end of the attack on Badajos was that the French general Tessé effected a reinforcement of the garrison and the siege was raised. Yet when Badajos was no longer the centre of battle, it remained as a source of wrangling between the ambassador and the two kings with whom he was so strangely harnessed.

¹ 2d Nov. 1704—Brit. Mus. Addl. MSS., f. 359.

It does not appear that until the month of March in 1706, designs on Badajos were abandoned, and then "it was thought that the army should march to Alcantara, where the enemy cannot make that opposition as at Badajos, and from whence the march is easy and secure to Placentia and towards Madrid." On this matter we have again the ambassador in conference with "the King of Spain":—

"After a great deal of expostulation on the king's part upon the whole conduct of my Lord Galway—which had obliged him to give orders for the design on Badajos, to which he never was inclined—and after desiring me to write to my Lord Galway to give his opinion freely, with his reasons, without regard to anything but his conscience and his honour, he assured me that he would give orders immediately to be sent by express to Abeyra to have everything provided which my Lord Galway had desired; and that his orders should go to Alentejio, that if the generals should think the enterprise of Alcantara to be the best, they should do everything for the execution of it. I received last night a letter from Diego de Mendonça whereby I am assured that orders are gone away.

"If we are now fixed in this design, as I hope we are, I think your lordship ought not to despair of some considerable success this campaign, which I am confident my Lord Galway will heartily endeavour in the army, and I shall on my part do all that is possible with the king and the ministers here that my Lord Galway's opinions may be approved."¹

But life had been thrown into this languid war by

¹ Brit. Mus. Addl. MSS., 28057, f. 71.

the arrival of the Earl of Peterborough on the 20th of June.¹ The characteristics of this strange man were of that colossal, vigorous, and picturesque kind that give temptation and scope to the drawer of historical portraits. It may suffice here to note briefly the qualities that make his career, though a great one, so utterly dissimilar to that of Marlborough, by many degrees greater. Marlborough never fought until he was sure of a victory that would make a crisis in the contest, by effectively breaking the power of his enemy; and his skill enabled him to avoid every enemy until he found himself in the position to strike his blow. He was not naturally combative, and could not be induced to fight unless he saw great political results certain to arise out of a victory certain to be obtained. Peterborough was of a fiery, restless, combative nature, fond of fighting for its own sake. Withal he was skilful as well as brave; and though he did not make victory secure before fighting, as the greater general did, he always became formidable to the enemy, and he sometimes made the dangers incurred by his rash audacity contribute to a success, from the uncertainties and perplexities scattered among his enemies by their inability, through any rational calculations, to see his object, or estimate his means for attaining it.

He was accepted as commander-in-chief of the army in consideration of the large body of troops and the great subsidies supplied by England. But the leader of a mixed army—there were Dutch, Portuguese, and

¹ A Memoir of Charles Mordaunt, Earl of Peterborough and Monmouth—2 vols.: 1853. An anonymous book, but believed to have been written by George Warburton, M.P.

Spanish under his banner—is not the same absolute person as the commander of a national force under a common sovereign. If the foreign generals refused obedience to his commands, he could not shoot them for desertion or mutiny. He was thwarted at once in his first cherished project. This was, to march straight on to Madrid and enthrone King Charles. The capital of Spain was but a hundred and fifty miles off. The way was virtually open, as few enemies then occupied or could occupy it, and the garrison of Madrid itself was slender. But that unexpectedness of a spring at the capital, whence Peterborough inferred that it might easily be taken, cast no spell on the leaders of the allies. The capture of Madrid might be the conclusion of a successful war; but as the initiative it was an appalling novelty, and it had to be abandoned. Peterborough, however, was a man who could be of no use unless he had absolutely his own way; and it does not appear to have been earlier than the beginning of the ensuing year that, dispersing difficulties and discussion by threats of abandonment, he achieved a real supremacy over such troubles as the following:—“All the disappointments of the Portuguese have not made my Lord Peterborough delay one day in his preparations to go from hence, although they have cost him many hours’ attendance; for he soon found them out, having made the ministers here, immediately on his arrival, offers so fair and so plain—either of acting presently, or concerting now the measures for acting at the end of August—that when he saw they were not accepted, he did not lose a moment in preparing to embark the Spanish regiment of foot

and our two regiments of dragoons, and so act independently of the Portuguese. Your lordship hath great reason to desire that the fleet should not stay at Lisbon, time being, on this occasion, of all things most precious. But my Lord Peterborough seems as little to need the being put in mind of it as any man I ever saw, being employed every hour night and day in hastening all he can. Sir Cloudesley went out the first moment he could. The Irish troops arrived but Friday last; and everything is now so ready that I hope the horses will begin to embark in two days.”

We only become sure that he has obtained relief when we are admitted to the deliberations of “a council of field officers” at Albocazer on the 28th of January 1706.

The council, “finding the last orders from Court were to give an entire liberty to the Earl of Peterborough to act in all things as he pleased, whereas his former were positive without any liberty,” there is an admission that this restriction had trammelled him where he might have made a brilliant success; yet, while admitting his independent authority as now confirmed, “the whole council of war were of opinion it might highly reflect upon them in point of judgment, and be laid to their charge, if they did not advise his lordship so to pose the troops with him as not to be cut off from being able to assist the king in person, and to pass to the defence of Catalonia, in the extreme necessity which, in all possibility, may be expected.”¹

Meanwhile the sage Godolphin had received from

¹ Brit. Mus. Addl. MSS., 28058, f. 9, 10.

the unrestrained and unrestrainable warrior the following appeal for consideration in respect of pecuniary services, such as it may fairly be presumed had not been anticipated in such a quarter :—

“ Mr Methuen will let your lordship know—and Mr Stanhope—that I have, in a manner, supported all here with my little stock. I sold, mortgaged, and took up a year’s advance upon my estate ; I got all my pay advanced ; got all the money up at Lisbon upon my own account that I could any wise get,—and all gone to the support of this siege and other services. I have left my wife and children nothing to live upon, little expecting my stay in these parts. I conjure your lordship pay the bill I have drawn for the last money lent towards raising a Spanish regiment. I know not upon whom to draw a regular bill. I send you the Prince of Lichtenstein’s receipt ; and if your lordship do not find it expedient to pay this immediately, my creditors, to whom I promised payment, will torment my family, and all of them will be reduced to the last extremity,—and I hope my zeal will not prove my ruin. My accounts and vouchers shall be so regular as to leave no objections.”

This letter is written in a small, neat, round, clerkish hand, in strong contrast to the rugged and eccentric autograph of its author, who, however, has recourse to his own resources in explaining, at the end, the reasons that had driven him to a legible medium : “ I beg your pardon for not writing in my own hand. My eyes, stung with mosquitoes, will hardly allow me to see anything.”¹

¹ October 12, 1705, addressed to the Right Hon. the Lord Godolphin, Lord High Treasurer of England—Brit. Mus. MSS.

After some futile attempts, less conspicuous than the siege of Badajos, because less ambitious, we reach an achievement that left a significant mark on the war.

The fleet, with the disposable land force, sailed on the 16th of August from Altea Bay. Six days later a landing and debarkation were effected about five miles to the eastward of Barcelona. The question came up of besieging the place ; and apparently five separate councils of war were held on that question. The vote of the general officers was repeatedly against the project, on account of the insufficiency of their small force for attacking a strong place garrisoned by nearly four thousand men. There was a disturbing element in all the deliberations, from the presence of two royal persons, each believing that he ought not to be thwarted in his desires. The one was the titular King of Spain, in the English and Dutch interest ; the other was the Prince of Hesse. The king was persistent in demanding that Barcelona should be attacked and taken. Peterborough met this with a project thus told by one who was present : “ The king held a council in his own chamber of his ministers only, to which I was called ; and my Lord Peterborough having acquainted him that the general officers persisted in their opinion not to attack the place, and that he could not begin a siege contrary to the unanimous resolution of a council of war without taking too much upon himself, proposed as an expedient that would be readily agreed to by our general officers, and better answer the end of our coming here than the siege of Barcelona—which was to settle his Majesty on his throne at Madrid.”

The first stage in that direction was Tarragona, where the garrison, being weak, "would in all likelihood surrender;" and it might be left with a garrison of Catalans.

The Prince of Hesse was delighted with this bold project. It so dazzled the ambitious vanity of "the King of Spain," that he too, at the moment, gave his cordial consent. Possibly another great man in that army may have suspected, and communicated to the king his suspicion, that the proposal was made to befool him, and to let him find, sooner than he otherwise might, the hopelessness of his projects; for we are told that "this resolution lasted not long: for Prince Lichtenstein's persuasions did so far prevail on the king, that the very next day the thoughts of this march were laid aside, and the king insisted as much as ever upon our attacking the place"—that is to say, Barcelona. In the midst of all this restless inactivity came instructions from the Government at home, if possible, to use the force in Spain for the assistance of the Duke of Savoy, and to that end to sail immediately to Italy; and at another council of war it was unanimously so resolved.¹ Hence arose elements of uncertainty that by occasioning idle conjectures became in the end conducive to secrecy of action.

On the 13th a thousand men, partly grenadiers, commanded by Lord Charlemont, marched to the Prince of Hesse's quarters, their avowed object being to find a pass not covered by the cannon of the town, through which the army could march to Tarragona as

¹ Report, Paul Methuen to Godolphin, 13th September 1705.—Godolphin Papers, Brit. Mus. Addl. MSS., 28056.

a place of embarkation. The march had begun when the command was given to wheel and take the opposite direction.¹ A conspicuous feature in the policy of Peterborough was to perform his feats in the reverse order of the sequence adopted by the rule and practice of ordinary warfare. It is usual to have much experience of fighting in a country before a march on the capital; but, as we have seen, it was Peterborough's desire to begin his career by that feat. At Barcelona, apart from the fortified town, there was a separate strong fortress, on a rock called Montjuich; and of that fortress the highest and strongest work was called the Citadel. The almost invariable course of the capture of strong places is, that a position is gained by the subjugation of the town, and then the castle or fort is attempted; but Peterborough took the opposite order, which, to the assailant first adopting it, had at least the benefit of a surprise, as being unanticipated. It is said that he had, in seeming idle wanderings, kept a close eye on the condition of this fortress, and had thus satisfied himself that it was imperfectly provided with inner auxiliary works, and that the garrison was carelessly handled, as if in the assurance of safety.

¹ "About three in the afternoon a detachment of the grenadiers of the army, and as many more as made up a thousand men, marched to the Prince of Hesse's quarters. This detachment was commanded by my Lord Charlemont as eldest brigadier, and it was given out that it was sent to take a pass, in order to secure the march of our army, which could not go by the town without being in reach of the cannon-shot from the walls. About six in the evening I was informed that our thought of marching towards Taragona was wholly laid aside, and that our design was to endeavour the surprisal of Fort Montjuich, upon the hill on the other side of the town, the next morning by break of day."—Paul Methuen, Brit. Mus. Addl. MSS., 28056, f. 337.

The army had made all arrangements for departure, whether to fight elsewhere or to return home. The heavy siege-artillery had been embarked. It is not distinctly known whether the commander arranged all this as a deep stratagem, or, on the other hand, struck by an appearance of favourable conditions, he at once abandoned a fixed intention to depart. Whichever alternative we adopt, we see a man who must have possessed, for giving effect to it, two great qualities—the one a supreme capacity for manipulating the movement of troops, the other a clearness of judgment and perception impervious to confusedness or unsteadiness of nerve.

Peterborough and the Prince of Hesse took about a thousand men to the attack at midnight—another thousand were to follow at break of day. The arrangements for the storming or escalade were of the simplest kind,—the assailants were to leap into the ditch, firing and receiving the enemy's fire. There, as they expected and hoped, they were met in hand to hand fight. They put their immediate opponents to flight, following them closely, and in the end so effectively, as to drift a mixed mass of besiegers and outer defenders into the works. There two hundred of the assailants were seized. It was a necessary condition of all Peterborough's achievements that he should have luck on his side, and the seizure of two hundred of his followers was perhaps the piece of luck that decided the issue. It was determined that for better security they should be sent from the castle to the town. On their way thither they met a party of three thousand hurrying to reinforce the garrison. The prisoners were naturally questioned, and gave the astounding

information that the assailing force was led by Peterborough and the Prince of Hesse. The commander-in-chief of the enemy's army—a member of an illustrious royal house—within the fort! By all the usages of the warfare of the time, this led to no other conclusion than that the force at their disposal was irresistible—hence the three thousand men retreated within the walls of the town.

The assailants were still in an exposed and perilous position, when fortune again favoured them by affording access to an undefended bastion. They found close by a heap of stones intended for building purposes, and with these they raised a rampart across the gorge of the bastion, thus making it their own. They owed this acquisition to the insufficiency of the garrison for manning all the works; and a soldier less Quixotic or more amenable to the responsibilities of command, might have learned from the incident the folly of attempting to hold that vast ganglion of fortresses, with a force that was but a poor fraction of the garrison he was driving out, to enlarge the force by which, in his turn, he must be assailed.

There was a depressing casualty, too, casting a gloom over the success of the audacious projects. It is thus described, with its immediate political consequences, by a sagacious observer on the spot:—

“My Lord Peterborough behaved himself with all imaginable bravery in this action, and we had not above fifty men killed and wounded, but the poor Prince of Hesse, who had escaped so many dangers, was in the heat of it wounded in the thigh with a musket-bullet, and died about half an hour afterwards—a loss very much to be lamented upon all

accounts, but much more considering our good success in taking Barcelona, since everybody must allow that the love the people of this country had for him was in reality much greater than it could be represented, and would have enabled him to improve any good success on our side much better than it can well be done by anybody else. However, his death made for the present no alteration on our affairs, for the Catalan gentlemen that were come into us, renewed thereupon their promises of fidelity to the king, and that they would support him while they had one drop of blood in their veins or penny in their purses. And ever since, a number of these gentlemen which are, as they call it, of the nobility or *Braiomilitar*, have managed everything that concerns the *Miguelets* or country people, in the same manner as the Prince of Hesse did before his death."

On the 15th, the communications between Barcelona and the Fort of Montjuich were cut. During the two following days there was bombarding, and the casualties from this cause were the destruction of a bastion of a fort, and the death of its governor, the Neapolitan Marquis Caraccioli. "On our advance in storming attitude there was a surrender, and two hundred and seventy prisoners were taken." Next day, as we are told, "several friars, nuns, women, and children were sent out of the town, to the number of eight thousand; upon which my Lord Peterborough sent the viceroy word that he should not suffer any more people to come out of the city, and that he had given orders to our men to fire upon them if they did." On the 20th, fire was opened

between St Anthony's bastion and The King's, on a curtain asserted to be "as long again as it ought to be according to the rules of fortification." It managed for all its disproportion to hold out and give trouble, as the wall "was pretty thick, and the earth on the ramparts so broad that coaches used to go upon it; however, our cannon being very well served, and not being above four hundred and fifty paces from the wall, had a very good effect upon it." In ten days this good effect was perceptible in a breach affording hopes to a storming-party, when the besiegers had testimony that the work was done for them, by four successive explosions of mines that had been laid behind the breach, to be exploded on the assailants.

It was now proper to consider the political considerations that should rule the terms of capitulation. A titular king with shadowy prospects must not trample on the necks of the beaten enemy—they are in courtesy the erring subjects who are to be led back to loyalty and duty. At a great council, where "the king" was present, "everybody agreed that it was much more for the king's interest that the town should capitulate than that it should be taken by storm; so that it would be reasonable to grant the garrison favourable terms." On a suggestion to leave the initiative to the garrison, terms were offered by the viceroy as governor; and they were virtually accepted, being unexpectedly moderate—except on one point, a cessation of arms for six days. This was refused. There was a difficulty as to a place of retreat or retirement for the garrison, since they were to become prisoners of war. They named Tortosa, but that was in the hands of their enemies—and next Tarragona, but

that was invested; and in the end "it was thought better to yield to their going to Girona than to venture the loss of any further time, or the dangerous consequences that might attend it." And so at the happy conclusion, the narrator, as critically interested in the event as any of the military commanders, complacently notes,—“I believe there is no example in history of a town like this taken by an army not much superior in number to the garrison.” It was noted, as if to enhance the greatness of the achievement, that a garrison of thirty thousand men might find occupation in the vast defensive works. But this feature was, in the presence of an enemy not to be frightened by appearances, an element rather of weakness than of strength—an imperfect garrison and unoccupied works, if there was anything approaching to equality in numbers, bringing equality in strength, if not a superiority, to the assailants.

Marlborough, usually placid about his own achievements, even the mightiest of them, seized the occasion of the capture of Barcelona to write to Peterborough a letter eloquent in commendation of his conduct and sanguine of vast ultimate results from his success. “I have no doubt,” he says, “that your lordship has already escorted the king to Madrid, and take this opportunity to felicitate you on this glorious exploit, which is everywhere attributed to your valour and conduct. All the allies exult in the advantages which are likely to result from this splendid success, and I particularly rejoice in the new lustre which it will shed on your glory. After such astonishing actions, there is nothing which we may not expect from you; so that I flatter myself you will not consider our

hopes as ill founded, if we reckon upon the speedy reduction of Spain to the obedience of its legitimate sovereign, since it seems as if Providence had chosen you to be the happy instrument. I heartily wish you all success, till you have completed the great work.”¹

Yet, had he known the conditions as they can now be unwound from the correspondence and memoirs of the period, no one would have been so prompt as Marlborough in detecting through the glitter of the whole affair a hollow farce.

There was now a great council held in presence of “the king” to deliberate on the uses to be made of “our prosperity,” when “it was unanimously resolved to prefer the enterprise upon Port Mahon before all others, by reason of its great importance, and the use a port of that nature would be of to us for our fleets and squadrons in these seas.

“To send thither for that purpose a squadron of twelve men-of-war, with twelve or fifteen hundred land soldiers in them, and some transports.

“That the person employed in this service should be fully authorised by the king to act and treat in his name, and that Brigadier Stanhope was in all respects the fittest man that could be sent.”² But two years passed ere this project was effected.

Before going back to the chronological sequence of events, we may here, perhaps, appropriately give a few more specimens of Peterborough’s method of uttering what is colloquially called “a bit of one’s

¹ Coxe—Mem. of Marlborough, ii. 374, 375.

² Paul Methuen, Oct. 10, 1705.—Brit. Mus. Addl. MSS., 28056.

mind," as to the people and the events coming under his notice. On the 29th of March 1706 he addresses the Lord Treasurer. He has the unusual task of expressing thankfulness for a remittance; requests the Treasurer to realise "what extremities I have been put to since the first money I have touched came two nights ago to Valencia—where, if good fortune and miracles had not brought me this money, in no other place could have come to my hands—there being at this time twenty-four ships of war before Barcelona, eight at Alicant, and the seas full of cruisers and privateers." "Judge, my lord, of our sore trials,—informations of a flood of enemies coming down upon us from all parts, without a letter in near five months, without any assistance of men or money, without any ground for hopes, with a most wretched minister influencing a young king, frightened out of his senses, the Prince of Lichtenstein assisted by a mad Spaniard the Count of Cesuentes, having with more German pride and ignorance, balked and disgusted the Catalans, our only hope.

"His wretched politics,—contrary to the queen's views and instructions, which were calculated to animate the Catalans by the security of their privileges—contrary to all the representations made by Mr Crow and myself,—have retarded all the means of raising money or levying men." The poor Catalans have been lost to the liberating force of England by German ill-usage, and "we owe the safety we now enjoy, and our future hopes, to the virtue of the officers, to the courage and discipline of the troops. We have been these ten weeks in the field

in the face of an enemy twice as strong, without the desertion of one man to the enemy or ten men dead of sickness."¹

At this crisis we find the hero of the occasion writing a letter to the queen. It adds nothing to the events we have just crossed; but the letter of a great man to his sovereign, from the stage where he is controlling the course of history, is in itself an event. The letter commends itself for good taste. It is pleasantly valuable, too, as extracting the sting from one of Horace Walpole's pungent prose epigrams. "Charles Mordaunt, third Earl of Peterborough, one of those men of careless wit and negligent grace, who scatter a thousand *bon mots* and idle verses, which we painful compilers gather and hoard till the owners stare to find themselves authors. Such was this lord—of an advantageous figure and enterprising spirit; as gallant as Amadis, and as brave, but a little more expeditious in his journeys; for he is said to have seen more kings and more positions than any man in Europe. His enmity to the Duke of Marlborough, and his friendship with Pope, will preserve his name, when his genius—too romantic to have laid a solid foundation for fame—and his politics, too disinterested for his age and country, shall be equally forgotten."² And while the author of the letter unconsciously clears himself of a yet unuttered imputation of a kind thoroughly alien to his chivalrous nature, he adds an item to the testimony how the mighty blow, struck by Marlborough on the Danube, brought exultation and confidence to the one side, and depression, if not paralysis, to the other, on

¹ Brit. Mus. MSS., *ibid.*

² Royal and Noble Authors.

every occasion that brought a force from both face to face in the great quarrel:—

“MADAM,—The approbation your Majesty was pleased to give to the resolutions taken by the King of Spain, which I profess I did propose and did encourage to the utmost of my power, was very acceptable; and I was extremely at ease when I found that the States-General did so heartily concur with your Majesty in the same opinion.

“The triumph of the Duke of Marlborough, and his great success last year, put me upon taking such measures as could not be foreseen, and, therefore, not betrayed or prepared against. And the events, I believe, will always justify such resolutions—they are hazardous to those who command in a country where success is the only justification. I was not ignorant of my danger, but having earnest desires to do your Majesty and my country some important service overcame all my fears.

“I can never satisfy myself in any services I can do your Majesty; they always fall short of what I wish and would aim at. The King of Spain has very obligingly eased me of the necessity of giving your Majesty an attempt of particulars. Upon the whole, I believe your Majesty’s great goodness will move you to gratefully accept of my endeavours. I shall only say, Madam, my thoughts and actions shall never have any other view but your Majesty’s glory and the good of my country.

“I would say more to your Majesty of your officers and troops—of the great assistance from the English fleet—of the courage, cheerfulness, and exact obedience of your soldiers—if I did not think their actions did sufficiently commend them to your Majesty’s good opinion and to the world; but I must not omit to let your Majesty know how happy we have been in a perfect agreement with the officers of the States-General of sea and land. Nothing has been desired from the Dutch admirals, or offered to the Dutch generals, which has not been complied with, even beyond what could be hoped or reasonably desired.

“I do not solicit your Majesty for the necessary supports

of all kinds for this happy beginning. Your Majesty, your allies, and your Parliament can never abandon a king beginning his reign with an action of such resolution and courage, nor a whole province, and your own troops entirely depending upon your wisdom and goodness. We all rest assured of the care and protection of the best of princes, and have nothing to desire so earnestly of Heaven as the preservation of your sacred person, and the long continuance of a life of such consequence to the whole world.—Your Majesty’s most faithful and obedient servant and subject,

“PETERBOROUGH.¹

“BARCELONA, *October 13, 1705.*”

At this busy period, as at other times, the letters written by Peterborough to his friends may be cited as a register of the pulse of his temper. There is no touch of apprehension in them—no expressions of humble submission to an adverse fate; and if they express a wail of discontent, it has in it a touch of rage and ferocity distinguishing it from the wailings of ordinary mortals. Here is one of his utterances to the honest soldier and faithful friend, Stanhope:—

“BARCELONA, *November 15, 1705.*

“God preserve my country from the best of German ministers. What is the circumstance of that place exposed to the worst of them? In the beggarly circumstances of our princes and generals, it is certain nothing can be greater than the affection of all sorts of people to the king; and nothing can be greater than the contempt and aversion they have to Lichtenstein and Wolfeld, and to the whole Vienna crew. They have spent their whole time in selling places; and all the money in the town so disposed of that way, and so well secured, that Mr Crow, myself,

¹ Brit. Mus. MSS., 2813, f. 91.

and all the friends we could employ in Barcelona could not obtain six thousand pounds to keep our troops from starving, either upon bills for Genoa, Leghorn, Lisbon, Amsterdam, or London. . . . "In a word, I cannot get carriages to transport the baggage of our troops to their garrisons. I cannot get ammunition carried to a fortified town where there is not one barrel of powder; I cannot get provisions put into a place which must expect a siege; I cannot so much as get the breach of Barcelona repaired. The Dutch troops have not one farthing but what I am forced to find for them; the marines were never provided for; the troops that came over to us are naked, starving, and deserting back. I have no money left, I have no credit; I have sent a-begging to Italy, but cannot hope for a fit return. We have no medicines for our sick; we have not wherewithal to constitute and form hospitals; and we shall perish without being able to get to those places which only desire to be in our hands."¹

The possession of Barcelona gave a mighty impulse to the cause of the Archduke. Among other significant incidents, Peterborough made a triumphal entry into Valencia on the 4th of February 1706. Arising out of this event, we have a sketch of a Court interior, with the new king displaying certain qualities infinitely provoking to one of Peterborough's rank and temper, in the shape of the passive superciliousness expressed in the sublime serenity of the imperial Court where the "King of Spain" had been trained in the usages of royalty.

¹ Memoir of Charles Mordaunt, Earl of Peterborough, &c. (1853), ii. 267-269.

"BARCELONA, Tuesday, December 22 (N.S.), 1705.

"The king sent for me about eight o'clock this night, and told me he had discoursed my Lord Peterborough that afternoon about placing a vice-king in Valencia, but that my lord either did not well comprehend him, or did not think fit to give his opinion in the matter."

It was suggested that the appointment of a permanent ruler was premature. The terms of the capitulation of the city of Valencia were yet unknown. "That General Ramos, with the approbation of the people, had chosen the Condé de Cardona to govern in the meantime." He had served the emperor, the king's father, and "was a very politic, prudent man, and in great esteem among the people." He pressed on the king, till the affairs of the kingdom were better settled, to be content with the selection made by General Ramos and "the people's choice." Let the Condé de Cevilliar, who also "has a great knowledge and interest among the people," accompany my Lord Peterborough on his expedition, and then his Majesty "might expect such advices as to enable him to assort better in the choice of a vice-king."

"At which his Majesty answered me, he had little or no choice to make, the Condé de Cesuentes being the only person at present with him proper for that post; but as yet he had not acquainted the said Condé therewith. Upon which I humbly begged his Majesty's leave to make some reflections,—which were, that the said Condé de Cesuentes had been formerly guilty of some commotions in that country which occasioned the death of one of their chief nobility; that the whole family of the Nabotts—to

whom his Majesty, in a great measure, owed the reduction of Valencia — were, to my knowledge, enemies to the Condé, who had affronted them; and that the Catalans were a people that never forgave an injury."

"The king remarking that 'the Condé knew how to govern himself with them,' rung a small bell, and Prince Lichtenstein and the Condé de Cesuentes came in. As soon as the latter approached his Majesty, the king told him he had judged it for his royal service to make him vice-King of Valencia,—for which he gave his Majesty thanks."¹

The witness of this scene did not let it close without a hint that it might lose for the cause the services of Peterborough. A week later—on the 30th of December—having nursed his wrath to keep it warm, the English lord bursts forth on the "ignorance, pride, and avarice," that stifle him. For all the sacrifices made and the brilliant successes obtained, Godolphin, to whom he pours out his griefs, may depend upon it, "if we were now in Madrid, an English ambassador would find as cold a reception, and would be as far from obtaining any privilege on behalf of our trade or anything else, as at any other time." And now for particulars.

"The character of Prince Lichtenstein is such as would be scarce believed were it not so universally known. But, above all, his weakness is the most surprising and dangerous. His falsehood, his pride, his greediness for money, I shall not so much insist on; but his meddling with everything and understanding nothing must bring us to ruin. One day

¹ Brit. Mus. MSS., *ibid.*, f. 391.

he thinks himself in Madrid, and then puts on all the airs of German insolence and Spanish pride; the next he gives all for gone, and is the most abject dispirited creature in the world,—to the degree of crying like a child, and lamenting to all that come near him, and disheartening all mankind."

"But to our great ill-luck—to add, if possible, to our misfortune—we have come among us the Condé de Cesuentes,—in a word, the Lord Pembroke of Spain—a Spanish bully without any experience in business, having no money, but all the pride of his country. Since his arrival we are none of us consulted in anything. But they have their private meetings; and when they have agreed matters among themselves, they used to closet Mr Crow to persuade me, and me to influence him, to what they desired. But this artifice was soon exploded; and I doubt we are alike in their favour."

"You know, my lord," he continues, "how Mr Crow and myself were charged, by our orders, to secure the Catalans their liberties, and to offer the queen's mediation and guarantee for any new ones that might be reasonable." But their efforts in this direction were in vain; and he describes them as outraged at the denial of a "privilege they call the inseculation of the city officer,—somewhat like our common council of the city of London." And he accuses Lichtenstein of a plot to make money out of the affair. On more specific and intelligible matters, "all the money they lay out—having received above £40,000 sterling—goes to the support of a German regiment of horse and foot which they are raising, and to a Neapolitan regiment which they form of

deserters, and the troops of the country they neglect." For all his solicitations they have not yet done "any the least thing in order to repair any of the places in our possession, nor to put a week's provision into them in case of a siege. My lord, this is inconceivable; but when I add that they have not laid one stone towards repairing the breach at Barcelona, you may believe anything. My lord, 800 men have died by ill usage in Barcelona, by laying them in the open galleries of convents, without allowing them straw, or fire, or any conveniency practised in other countries; and yet this has been endured without the least complaint or mutiny. And the sick and the well lie together upon bare stones, without any support or relief."

Peterborough's proposed distribution of troops was: 1400 to Gerona, 3500 to Lerida, 1500 to Tortosa; himself to march with "the inconsiderable body of 1500 into Valencia." But all to no effect, except to preserve for us the following final climax on the character and suitability of the new viceroy:—

"To take such a resolution without a second advice—to prevent the expectations of a whole nobility, before any solid settlement—to send a beggar, who took six pistoles a-day subsistence-money from the several streets of Tortosa—to send a man of his character who actually, into the bargain, had been concerned in a murder of one of the best quality in Valencia—to make this sort of person a grandee of the first rank and viceroy of a kingdom, before he had bestowed any the least marks of honour or favour on any of the most ancient and noble houses of Catalonia, who had unanimously engaged in his service,

whilst Cesuentes, pretending sickness on the frontiers of Arragon and Valencia, awaited the success of Barcelona, and came not till long after to Court,—of this we shall offer no observation, thinking these sufficient for your lordship's information."¹

At this point the motions and achievements of Peterborough have a close analogy to those of a clever stage-manager, who is expert at surprises generally, and who can especially, by prompt arrangements and a diversity of uniforms, make fifty actors do duty as an army a thousand strong crossing the stage. Like the manager, too, he had a large body of supernumeraries, in those hordes of ruffians called Miguelites. They were to be thoroughly counted on for plunder, slaughter, and anything that inferred cruelty, rapacity, and treachery. One duty—but one necessary to the complete soldier—could not be obtained from them,—they would not serve under fire; and their deliberate objection to this was announced on all occasions with a simple candour that tended to secure reliance for them in the services they consented to undertake. Peterborough was a soldier entirely after their own heart. He was to them like the mighty hunter who leaves a bloody trail, and carrion for wolves and vultures. It was his policy as an actor to be ever performing the part of a general in hot pursuit of a flying enemy. But being mere acting, it was unreal and unsubstantial. It was the playing off of hoaxes or practical jokes on a great and bloody scale—a thing that may be done once or twice, while

¹ Brit. Mus. MSS., *ibid.*, f. 491-493. This curious document, beginning in the first person singular and ending in the plural, was signed by Crowe as well as Peterborough.

there is surprise, confusion, and ignorance. The impudent fellow who determines to attend an entertainment at some great house he would have no chance of entering by invitation, if he happen to escape humiliating defeat by the lackeys in the lobby, is liable to detection and exposure when he reaches the domestic centre. On the other hand, he may be mistaken for some invited guest, or his presence may even be tolerated by an indulgent landlord, who may give him credit for acting on innocent mistake, or being the victim instead of the inventor of a hoax. But no one makes real progress in life by such tricks, and so Peterborough did not succeed in establishing a dynasty, nor would it have been a desirable precedent in warfare if he had succeeded in anything save furnishing the world with a brilliantly-acted romance. Captain Carleton tells us that "Barcelona being now under King Charles, the towns of Gerona, Tarragona, Tortosa, and Lerida immediately declared for him; to every one of which engineers being ordered, it was my lot to be sent to Tortosa. . . . This town was of great moment to our army, as opening a passage into the kingdom of Valencia on one side and the kingdom of Arragon on the other; and being of itself tolerably defensible in human appearance, might probably repay a little care and charge in its repair and improvement. Upon this employ was I appointed, and thus was I busied until the arrival of the Earl of Peterborough with his little army, in order to march to Valencia, the capital of that province." The relief of Santo Mattheo from a siege was important, as in the hands of an enemy it would cut off communication between Catalonia and Valencia. 'On

this service Peterborough hired two spies "and despatched them with a letter to Colonel Jones, governor of the place, intimating his readiness as well as ability to relieve him; and above all, exhorting him to have the Miguelets in the town ready, on sight of his troops, to issue out, pursue, and plunder—since that would be all they had to do, and all he would expect at their hands. The spies were despatched accordingly; and, pursuant to instructions, one betrayed and discovered the other, who had the letter in charge to deliver to Colonel Jones,—the earl, to carry on the feint, having in the meantime, by dividing his troops and marching secretly over the mountains, drawn his men together, so as to make their appearance on the height of a neighbouring mountain, little more than cannon-shot from the enemy's camp. The tale of the spies was fully confirmed, and the Condé, though an able general, marched off with some precipitation with his army; and by that means the earl's smaller number of twelve hundred had liberty to march into the town without interruption."¹ Here it was necessary for the consummation of the plot, not only that the enemy should have failed in the duty of a good general to know the strength of his opponent, but that the one spy professing treachery should give an exaggerated account of Peterborough's force, and that the other spy should be caught with his confirmatory letter.

Tortosa—one of the casual acquisitions from the panic created by the capture of Barcelona—soon came back to its old owners after a siege of eighteen days; and we possess Peterborough's own account of the

¹ Carleton, 124-126.

recapture, interesting for little more than the glimpse of the perilous stuff he had to deal with in his allies, and their mingled qualities of treachery and incapacity.

"We had flattered ourselves it might have held out longer; but it seems the works, which had stood still most part of the winter for want of money, had not been finished according to the design. The garrison likewise did not answer expectations, especially the Palatines, about two-thirds of whom deserted, either during the siege or upon their marching out. 'Tis true that the enemy, upon their marching out of the garrison, did most impudently break their faith, and partly by money but more by force, took about one thousand men out of the ranks. This violation of the capitulation, together with the desertion which had been before, reduced the garrison to twelve hundred men, which, by the exactest returns we could get of their strength before the siege, consisted of three thousand six hundred effective-duty men, so that five of the eight battalions may be reckoned as absolutely lost; the three Palatines, that of Blesset, which had been raised here of French deserters, and one battalion commanded by Captain Wishaw."¹

A short period of inaction clouded by gloomy anxieties gets a touch of light to the readers of the correspondence of the period, in the following mutterings of Peterborough:—

"SAGORVE, 29th March 1706, English style.

"I have in Valencia but fourteen hundred foot and twelve hundred horse—most men just put on

¹ Brit. Mus. MSS., 2813, f. 373.

horseback. The Count de las Torres had two thousand four hundred veteran horse, the two best regiments in Spain of a thousand each—the Spanish and Walloon regiments of Guards—almost under the walls of Valencia.

"To add to our happy circumstances, there are two thousand men more coming down against us from Castille. Some of the troops that retired out of Barcelona under the spiritual directions of two bishops, and Major-General Mahon, by advice just going to join them with four hundred horse. In a situation so desperate I was forced to take a resolution which I pretend no otherwise to justify but by success. The country being for us, and the rivers and passes such as gave one hopes of success and a safe retreat, I stole twelve hundred men in the night out of Valencia, and at fourteen leagues' distance they routed the whole body, and brought back to Valencia and Deira six hundred prisoners, rank and file, and fifty officers and gentlemen. But these, my lord, are but reprieves. All depends upon the arrival of the fleet and of our succours.

"I am not transported, my lord, with the flattering prospect I have had, but so mortified with the fatigue and difficulties I have undergone and the follies I have had to struggle with, that I could contentedly retire to any cottage rather than lead the life I do—one moment hoping to save the monarchy of Spain from the French, the other moment having in prospect the most extraordinary and tragical events. All my steady comfort is, I have acted as an honest man. I have a most disinterested love to the public, and I hope the world will except me from the list of

German fools who have brought things to the present pass."

His letter is the happiest mirror of his own condition—gleams of hope flashing through the despondency, where after a deal of less articulate and less intelligible grumbling, we come to "but if I were to go half with those at London that lay wagers, I would venture some money on Madrid being in our hands by the end of June."¹

The incompatibilities between German imperial serenity on the one side, and the nature, prejudices, and constitutional usages of the Spaniards on the other, was fully as strongly expressed by a person of less passionate nature than Peterborough. From Barcelona on the 26th of May 1706, Paul Methuen writes thus, after referring to some secondary difficulties: "But what is more surprising than all the rest, is the great and general discontent of the nobility and common people of this principality, occasioned by the intolerable haughtiness and unaccountable weakness of Prince Lichtenstein, the effects of which have been that every step the Court has made since

¹ Peterborough was not content with the exhaustion of his native English in vilipending his German and Spanish associates. We find him trying his powers in French, in a letter to the Duke of Savoy:—

"Ma plus grande peine et mon grand embarras vient de nos ministres Allemands. V.A.R. en a une expérience suffisante; mais je puis dire avec vérité, que leur orgueil, que leur ignorance, n'a jamais tant éclaté, que dans l'occasion présente—plait à Dieu qu'ils ne perdent pas leur maître. V.A.R. verra une occasion extraordinaire—un Roy qui assiege, un Roy qui défend la place.

"Le Prince de Lichtenstein les plus pauvres même des Allemands, et le Comte de Cesuentes le plus fou des Espagnols, ont fait à croire au Roy qu'il tenoit l'Espagne assurée par leur correspondance." And for all they have not money enough to close the breach at Barcelona, or fortify Monjouich.—Valencia, 30th March 1706; *ibid.*, f. 43.

my departure, and especially while the contest lasted, has been quite wrong. They have taken away from the nobility all the titles and honours granted them by the Duke of Anjou, without making them amends by any new ones; and instead of enlarging their privileges or confirming those which the king's predecessors had allowed them, the Court has used all possible endeavours to clip them as much as they could, though to little purpose; for these people are so resolute in that point, that they would much rather part with their lives than their privileges. So that this folly has had no other effect than showing how much desire there was to do them harm, if the ill-will had been backed by power. These proceedings have so exasperated the Catalans, that Prince Lichtenstein is among them the most detested man living; for they lay it wholly on the prince and other Germans about the king,—whom personally they love and respect, only bewailing their own misfortune that he should be governed by such counsellors, and that they should meet no better requital for that fidelity and zeal they had shown for his service."¹

Returning to the career of Peterborough, we shall immediately find an example of what the policy of insolent and mendacious aggression may accomplish, in the capture of Nules, "a town fortified with the best walls, regular towers, and in the best repair of any in that kingdom." On the distant rumour that the conqueror was coming, in a panic the regular garrison "left that sensible town, with only one thousand of the townspeople well armed for the defence of it."

¹ Letter, Paul Methuen to his father, 26th May 1706, printed in *Letters and Despatches of Marlborough*, ii. 572.

Information—accurate or not—was brought to Peterborough that in the neighbourhood the garrison had committed great atrocities; and though it would appear that the perpetrators of these were in full retreat, yet there was a garrison holding the town, and if they were to expect mercy, it must be bought by instant submission. Some priests were sent forth to treat, and were told that only six minutes would be allowed for a surrender; when these expired, “so soon as his artillery came up, he would lay them under the utmost extremities.” There seemed no alternative but submission; and the ex-garrison hearing of this prompt victory accelerated their flight, like the wicked fleeing when no man pursued or was capable of pursuing them.

In this town two hundred horses were found. This acquisition seems to have nourished a passion in the commander for a cavalry force; and he proved his capacity for the function of the horse-stealer by picking up other four hundred. He could only mount them with infantry, but this was in complete harmony with his policy of sham. He galloped them through the country, spreading the impression that he had received a formidable accession to his strength; and in fact, his six hundred mounted men exceeded in numerical strength the average of the squadrons in that war.

But this farce, though it was to last for some little time in marvellous vivacity and vigour, had to be played out at last. It was not consistent with the laws of cause and effect, as interpreted by the procession of human events, that the still mighty King Louis should placidly permit the empire he had

plotted for—until the opportunity came for seizing it with a firm grasp—to be snatched from that grasp in the escapades of an inspired lunatic. His commander in Spain—De Tessedé—had failed in sagacity for dealing with the startling fantastic tricks played before him; but now there was on the way southwards to replace him the mighty Berwick—the one captain of the day who might be spoken of as the rival of his uncle Marlborough. Meanwhile Barcelona, the centre of the tragic farce, must be retaken. “The king” himself was in Barcelona—he had come to it as the strongest place in his possession, and now from a fortress it was converted into a prison, where he and his great champion were in the custody of an overwhelming host of surrounding enemies. It is fair to the memory of one who has been abundantly censured, that in the not too friendly eye of the English ambassador the royal prisoner acted becomingly throughout his sore trial and peril. When projects were dreamed of for removing him to some place of safety, he said he “was resolved to stand by his capital to the very last;” and “the king showed more concern for the rendering of the town than for his person, and used the utmost diligence to get reinforcements thrown in, to set the inhabitants to work, and encourage them by his own example to make a vigorous resistance.” Further, we are told how the spirit of the citizens “was entirely supported by the prudence and example of the king, who frequently showed himself in places of great danger.” Meanwhile his champion, whose appetite for fortunate escapades seems to have enlarged with the marvellous gratification it had realised, was pon-

dering on the counter-plot of kidnapping the other king, and, like a tiger in a jungle, was keeping watch for any opportunity of taking a spring on Madrid. But this was impossible at that juncture. True, the opportunity might come, and its expectation was justified soon afterwards by King Philip seeking safety in flight; but in the meantime King Charles was a prisoner in Barcelona. The oscillations of the two aspirants remind us how the deficiency of any national element in the forces of this war, give it a resemblance to a game at chess, where, over the broad theatre of contest, kings and knights are shifted by external hands, and are ever liable to capture.

As matters stood, the hero of the war had ample room for the exercise of his scheming brain in Barcelona, surrounded and pressed though it was by an overwhelming force. By happy accidents and perseverance the garrison was increased so as to number in all two thousand five hundred, but of these only about a third were Englishmen. Peterborough drew on the resources of his naval force for the completion of the garrison, such as it was, bringing to it some seven or eight hundred in boats. The close attack began, according to the precedent Peterborough had set, on the detached Fort of Montjuich, garrisoned by six hundred men. The English ambassador writing home says: "The enemy . . . expected to take it sword in hand, as our forces had done before; but after a sharp repulse they thought fit to proceed by regular approaches, and having raised, on several batteries, about twenty pieces of cannon, took it at last at the expense of twenty-two days and a great number of men. And had not my Lord Donegal

been unfortunately killed, and some troops given way sooner than they ought, it might have held out longer."

"They next began to play their batteries with upwards of eighty cannon against the town; and though their approaches were made with much regularity and caution, they must in two or three days more have made great holes in the rampart, and endangered the town inevitably, the garrison being reduced to less than two thousand men, and they constantly on duty behind or near the trenches."¹

There remained just one hope—it rested on the chance that the English fleet was not far away and might come to their rescue. Would the fortunate star of Peterborough culminate in this propitious event? He took order that if the favourable chance came it should not be missed by negligence on his part. He got at this point, through Brigadier Stanhope, the chilling information that Admiral Leake was so far on his way for the relief of Barcelona, but was in the meantime hanging off and on until he was joined by the Dutch fleet and a reinforcement from Ireland. Stanhope intimated that if Peterborough at any time received a sheet of paper addressed to him, but otherwise blank, it was to be counted an intimation that the junction had been effected. This inexpressive but momentous paper was received, and prompted Peterborough with his following to march to the nearest seaport and seize all the small vessels there, so that whenever the nearness of the fleet should insure their safety in the

¹ Brit. Mus. MS., 29589, f. 443 *et seq.*

affair, reinforcements should be conveyed in these vessels to the garrison at Barcelona.

One small boat he selected for his own particular service. It was said of him that he never sent a party of a hundred men on the war-track but he commanded them personally; here he took one follower only, and went to sea with him in search of the fleet, finding it some fifteen miles off. He returned immediately and despatched the reinforcements to the garrison, but he again visited the fleet in his open boat, for a thought had struck him—if the French admiral saw how strong the united fleet was, he would at once cut his cables and escape; it was desirable that a portion only of the united fleet should be seen, so that the French fleet might begin a battle that would end in its annihilation. He did not succeed in this, for Admiral Leake in command had otherwise arranged; and indeed the admiral, who was a formalist, was more surprised than pleased to see the flag of supreme command at the mast-head, Peterborough maintaining that his commission rendered him supreme over all the forces in the expedition, whether by land or sea.¹

The happy conclusion to this act of the drama cannot be better told than in the words of the English ambassador, writing from Barcelona on the 9th of May: "Affairs of such consequence never had so different a prospect, within the compass of so small a time, as has now been seen in those of this

¹ "My lord is very ill with the seamen—especially with Sir John Leake, who highly resents his coming aboard the ship he was in and hoisting the union flag there that morning we arrived here. This had a great air of vanity and affectation."—Paul Methuen to his father, Barcelona, 26th May 1706; Marlborough Despatches, ii. 274.

part of the world. Not above two days ago there scarce appeared one speck of blue to give any hope, not only of the preservation of the town, but even of the king's person, and, consequently, of the whole Spanish monarchy. And yesterday the heavens brought with our fleet and forces life and spirit to the whole affair,—gave us leave to expect, from the utmost despair, the security of all.

"By the oppositions of winds and sometimes of calms, the whole fleet, consisting of fifty sail of line of battle, was obliged to anchor in the Bay of Aldjaros, near Tolosa, on the 6th instant. The next day Mr Stanhope received letters from the King of Spain, dated the 4th, with pressing instances for assistance,—that Fort Montjuich had been taken fourteen days,—that the breach was made in the town and daily expected to be mounted, and that it was impossible for the place to hold out, or his person safe, without an immediate relief. Nothing could be done without a fair wind, which in a very few hours blew to our wishes, and brought us yesterday in the afternoon, to an anchor before this place, the whole fleet and all the forces and recruits from England and Ireland. Never did succour come in so reasonable a juncture, for the enemy had besieged the king here thirty-five days and made two breaches. Their approaches were brought to the covered-way, from which to the breaches they had not one hundred and fifty yards to march and make the assault."

"'Tis impossible to express the satisfaction and joy that the arrival of our fleet and the landing of five thousand good men were viewed with, at a time when we hourly expected an assault. The

enemy still give out they will attempt to storm, which is scarcely believed, and as little feared, they would."¹ The surrounding hills swarmed with Miguelets who, finding the besiegers the weaker party, acted, as it was their nature, against those whom the infallible law of the comparative degree selected as victims, cutting off all they could safely attack. It was of more importance to the issues of the war that they cut the communications to the several posts of the Carlist forces, intercepted provisions, and made it doubtful whether the besiegers could carry off their artillery and other munitions. A postscript of the 12th announces the solution of this doubt:—

"Last night the whole French army having made a breach very practicable, and brought their work and approaches to our palisades, marched off with an unaccountable consternation, for they lost an immense quantity of corn, five thousand barrels of powder, and 'tis said above two hundred pieces of cannon—and very few of them nailed up—ammunition of all sorts in great store, with their sick and wounded in a miserable condition. Their march was overcast this morning with the darkest eclipse of the sun that was almost ever seen, by which the superstitious here portend the eternal setting of the Bourbon sun; but I believe the attendance of the enraged Miguelets from the mountains will prove most fatal in their way to Gironne, whither, we hear, they are fled in great confusion. Marshal de Tessé, in a letter of a very humble and desponding style to my Lord Peterborough, desiring him to protect his

¹ Brit. Mus. MS., 29589, f. 443.

sick and wounded from the fury of the Miguelets, mightily laments the deplorable misfortune he has had."¹

The celestial phenomenon, though coming at a moment that could be absolutely predestined by the force of an exact science, yet was, as it had been of old, a casual force in the war, for its depressing influence is amply referred to in the correspondence and chronicles of the period.

It may prove of use for a better comprehension of some of the incidents just recorded, as well as something now to come up, to remember that among the protean elements in the character and career of Peterborough, one is that he had gained his first laurels as a sailor. Without knowing this, the following passage betraying a longing for his first love, the ocean, might fall with more than its just share of surprise:—

"I assure you I should with a great deal of satisfaction serve the queen in the capacity of a sailor, and would give all that I could part with, without spite, that I had but six-and-twenty good ships in the Mediterranean. I would have spent this winter with them myself and made it very easy to whatever general was to have commanded next spring ashore. When this is said, my lord, if anybody has the good-nature to find fault, as I heard by letter from Lisbon some had been attempting to do, I shall be as willing to come home not to be engaged longer, to English good-nature and gratitude, and to make way for any other that shall take more pains, or may be attended with better fortunes."²

¹ Brit. Mus. MS., 29580, f. 443.

² To Godolphin, 6th November 1706; *ibid.*, f. 326.

"I take it for granted that my readiness to serve in all places and upon all occasions, and perhaps under the greatest difficulties, will not do me a prejudice in relation to my sea pretences, though I am not ignorant that there are some who will make it an argument that the great services that may be expected for the next campaign ashore, can afford but little opportunity for my serving at sea. To this my plain answer is, without the command of the fleet and troops I desire to be recalled home and will not serve. I think I have made no ill use of the double trust reposed in me, and I am sure it will prove more necessary this year than the last."¹

He seems to have felt a desire to throw a chivalrous spirit into the naval branch of our war service—a branch offering far greater temptations to rapacity than the career of the soldier offered to him. The strength of the piratical spirit touched in some measure the honour of the naval service of the period, so as to be thus bitterly characterised in a letter by Peterborough to Godolphin: "God grant the ignorance of seamen and their self-interest never prove our ruin. Our squadron is gone a galleon-hunting. I think in the present exigency I would not have lost a day's sail, to have taken them loaded with silver."²

Again: "Our admirals plundering Carthagera, that admitted them with all imaginable civility and gallantry, and making themselves the judges of what ought to be confiscated, and taking it for themselves, is a proceeding as new as scandalous."

"And the main fleet has, in the environs of Alicant, taken to the value of fifty thousand crowns

¹ *Memoirs*, ii. 270.

² *Ibid.*, ii. 92.

in wine from friend and foe—under the happy pretext of Gavachos and Butiflenos."¹

Through all his restlessness we find him enjoying his success in the relief of Barcelona, and he lets his humour for the time be visible and picturesque as is his custom. On the 26th he writes thus to Godolphin:—"Notwithstanding the extraordinary delays which upon all occasions we meet here, I embark on board the fleet to-morrow with three thousand foot, having already marched our horse towards Valencia. I have in a manner forced my way, assisted by sea and land councils of war, urging despatch; and I think the king will follow, though our great Prince of Lichtenstein is somewhat surprised that he is not furnished with a hundred thousand pistoles for the king's equipage, and I think is equally angry with England and Catalonia, with Mr Stanhope and me, though I conceive he has little reason.

"I hope Alicant and Carthagera may soon be in our power, and confirm our interest in Valencia and create a new one in the kingdom of Murcia, unless the new efforts of the French in Catalonia should recall us thither, or our good fortune call us without delay to Madrid. Your lordship may assure yourself that I shall drive things on to the speedy ending of this war, and pursue those vigorous measures which have hitherto been so successful, and which I think so necessary to our present circumstances."²

As he must have something to assail, however, in the conduct of his friends, even while he is so successful against the common enemy, he complains of

¹ *Life of Peterborough*, ii. 280-282.

² *Ibid.*, 190.

an insufficiency of that commodity which of all others he would have spurned if it had been proffered.

"I think, my lord," he says, "I ought to have more particular instructions in matters of so great consequence; and I have none but from Mr Stanhope, and that in methods not altogether regular, since it is nothing but hearsay—no written orders to me, nor any orders in writing for him to give me."

A suspicion might here naturally arise on an estimate of Peterborough's career and character, that his desire for instructions had some foretaste of the satisfaction of breaking through them. However it be, he seemed to have had, among the motley elements in his character, a liking for great councils of war. A less self-willed commander, the Duke of Wellington, never called a council of war; and why did Peterborough, who had far more self-sufficiency, thus cumber his motions? One explanation of the anomaly might point again to the pleasure he would feel in breaking through any restraints that the votes of the council had laid on him. But another interpretation of the anomaly is possible—that Peterborough believed himself capable of convincing any council of the infallibility of his own projects, and having carried his point at the council board, would go forth invested with higher powers of command than a general destitute of such support would have. However it be, it is among the motley incidents of that fantastic war that the method of giving effect to the object of the council's resolutions was so disastrous, that it was charged with the ruin of the Carlist cause; and not only did Peterborough object to this method, but he vehemently denounced it. The ultimate ob-

ject was to reach Madrid. The disaster came of the way taken thither. Whether he got it passed as a resolution of the council, or reserved it for his own discretion, Peterborough was clear that the march should be by Valencia, but the way taken was by Arragon; and five years afterwards, in an inquiry by the House of Lords into the conduct of the war in Spain, when questioned on this point, Peterborough explained that he knew merely the general fact of the army having gone by the wrong way, but, "that as to the persons who advised the king to go by the way of Arragon and not by Valencia, he knows no further—being at that time absent from his Majesty—but that having extremely opposed it, and having writ to the Secretary of State [of the Archduke] at his first coming to Valencia against it, he received an answer to this purpose: 'That he hoped the Earl of Peterborough would bear the mortification and disappointment with patience, since the king was so resolved.'"¹

The difference between the two lines of march was chiefly in the element of distance, and the discussions on their respective merits show how material this element may become. Peterborough struggled for his own way on conclusions completely akin to the boldest features of his school of warfare. Perilous or not, it was the shortest way. Taking it, the French King of Spain would be found at Madrid with all the personal machinery of government and the administration of justice. As we shall find, those who marched by the other way found all flown. The affair leads beyond the question of distance to vital

¹ Parl. Hist., vi. 950.

antagonistic qualities in two great commanders, for Galway became ultimately the leader of the march. We have already seen that he was a soldier of the French type; and though it may not be said that Peterborough was a soldier of the English, or indeed of any type, he was such a soldier as England only could produce and tolerate. The gravity and supreme importance of the great game of war had by long traditional influences impressed on the French soldier the solemnity of everything, from the grandest efforts of heroism to the smallest pedantries of discipline, while he is on actual duty; and whatever frivolities or eccentricities may live in his character, are dormant there. That Galway was the French soldier cultivated to a high type, made any earnest co-operation between him and Peterborough impossible—it would have been as if in the performance of some solemn religious rite, a bishop of the Church of England, and a ranting Muggletonian, were appointed to co-operate. Both these generals were men of high heroism and generous nature, and where sagacity has been employed in discovering animosities and jealousies between them, the utter unconformity of their natures may suffice to account for the disastrous results. That they acted apart and had separate careers, was more the doing of Galway than of Peterborough. The distinguished French commander acted on the impulses of the respectable man who, seeking a correct and decorous walk through life, finds himself thrown into company and co-operation with that eccentric discarder of conventionalities colloquially described as a “harum-scarum.” Anything that distinguished Marlborough from the French com-

manders was in a different shape—that of a vast superiority over them in their own special qualities. This has been emphatically acknowledged by the great Napoleon, not only in the reverence paid to his memory, but the efforts to make Marlborough’s military career a lesson to the officers in the imperial service of France.

The march to Valencia and the few incidents following on it, bring us towards the close of Peterborough’s career in Spain. The most important of these incidents is the siege and capture of the strong fortified town of Alicante, protected like Barcelona by a separate fortress. The place was commanded by Mahony, an Irishman who had risen to high rank in the service of France.

A story is referred to in the memoirs of the period of an attempt by Peterborough to seduce him to play the traitor, beginning his approaches by a hint that the Irishman was a kinsman, and so connected with the great Mordaunt family; but the story does not harmonise with Peterborough’s nature, and is too fugitive and obscure to be briefly told. Peterborough’s activity on this occasion was wasted, since he arrived only in time to receive the capitulation of the castle after the town had rendered itself. The commander of the siege was General Gorge, whose own account of it, dated on the 10th of August, follows:—

“On Sunday last was se’night, I marched and invested this place, and after having reconnoitred it, would have given something to have been off of the lay, having found it quite another sort of a place than what it was represented to me to be; but it

was too late to repent, so was resolved to forward the siege with all the heart imaginable; and I began on Monday to land the cannon, and by Tuesday night I had raised two batteries, and began to play them against the town by Wednesday morning, and desired the ships to come right to the town and batter it likewise, which they did to some purpose; and that night I made an attack upon a windmill, which I thought was a good advantageous spot, and took it, but left an officer in it who scandalously quitted it the next day. But I took it again and raised a battery against a convent, which I thought was another advantageous post, and made such a breach in the wall fit for an attack on Saturday night last; but finding the confusion the men were in attacking the mill by night, made me put off the attack till Sunday morning; and just at dawn of day we marched up to the breach and beat them out of it, and took possession of it, which I did not intend to do that day if I had not got that advantage of the consternation we put them into; after which I raised barriers and secured myself in the suburbs, and went on board the fleet, when I saw a very feasible breach which they had made in the wall to the sea; and the admiral put men in boats to attack it, and our people at the same time climbed up the wall, and all entered into the town and took it sword in hand, and drove the enemy up to the castle. And this is a true account of this siege: and M. Mahony, as he said, hoped to be made a lieutenant-general in France for the defence which he made; and I hope I may expect to be made a major-general in England, and especially when I am the oldest brigadier, and have been

the only general officer that has attended this whole expedition—so that if your lordship shall be so kind as to move the queen in it, I hope it may be done. And when I have leave to return home—which I hope will be soon now—but that I have my Lord Peterborough's letters likewise, for he makes great professions of kindness, and you know I always had a world of faith, and therefore believe everything he says."¹

The latest incident in the war while Peterborough was still in command would hardly be worthy of a place in history were it not that it was a calamity that befell Peterborough himself; and it has a separate element of value, historical and literary, in that it can be offered to the reader in his own lively account of it. "When I came to Huete, I received the comfortable news that all my luggage, consisting of sixteen waggons, besides fifty mules—except eight or nine with me—were taken by the enemy; all my horses and equipage; and the most part of my servants killed,—which I owe to the Spanish general, with the loss of the artillery that was there, which he left, without my knowledge or order, without a guard, when twenty men would have brought it safe to the camp. It is hard that I should suffer so by the folly of others, that never had any the least mischance while affairs were in my hands. The whole country rose with the enemy's horse for this noble project, and nothing could be more fortunate than my escape and coming; for though my particular loss is irrevocable, yet with about sixty horse, I

¹ This, though among the Godolphin Papers (MS. Mus. Brit.), appears to have been addressed to Lord Wharton.

have recovered and frightened the whole country and brought them into subjection. . . .

"I bear all other losses patiently, besides my herbs and my cheese. My Lord Galway and you have your share. I had eight waggons with good eatables and drink, which I told you I would send you; but good management can lose meat and drink, herbs and kingdoms. . . . I have lost all my good wine and drink. I shall make a brave hand of it. I have nothing. I have nothing left but a suit of clothes and six shirts, and have lost about six thousand pounds by others who never lost a mule or the least thing this whole war. . . .

"I might have profited by the loss of my luggage, the towns concerned having offered to raise a great sum rather than expect the effects of my resentment, which they had reason to expect; but I chose to oblige them to bring corn to the army rather than money for me. But this and all other services will meet the same acceptance."¹

Ere Peterborough's eventful career in Spain had come to its end, it became associated with acrimonious disputes and charges of arrogance and rashness, cast in return for imputations of ingratitude and imbecility. It is thought better to leave the simple record of a curious episode in the great war to be estimated by its picturesqueness, without encumbering it with any commentary on the questions thus raised. Should it be found desirable to discuss them, an ample opportunity may afterwards be found; since the quarrel lasted long enough to be carried, in the full vigour of its original acridness, into the

¹ To Stanhope, 18th August 1706.—Memoir, ii. 287.

House of Lords in the year 1711, adding to the disputes of a critical crisis in home politics. There were proposals for transferring Peterborough's services to the war in Italy; but it befell otherwise, and he sailed homewards from Alicant in September.¹

After this point, the intervention of Britain in the war within Spain, whether in the council or the field, is so meagre in significance or interest, that it may suffice to account for it in a general statement of the situation as affected by the relative position towards each other of the forces in the several fields of contest, as all came under the observation of the statesmen who concluded the Treaty of Utrecht.

Affairs in the Spanish peninsula were lapsing into a condition mortifying to British pride, and antagonistic to the national desire for fair, open, diplomatic dealing. All chance of a hold on the country such

¹ As his part is finished, and the great actor leaves the stage, let us bid him farewell in the old form of the epilogue, in the following, from Swift's *Journal to Stella* (24th June 1711), perhaps not so well known now as it used to be. It will be a testimony to the correctness of the story just finished if this shall be acknowledged as in harmony with the brilliant epigrammatic touches:—

"In journies he outrides the post,
Sits up till midnight with his host,
Talks politics, and gives the toast,—

Knows every prince in Europe's face,
Flies like a squib from place to place,
And travels not, but runs a race.

Next day the post-boy winds his horn,
And rides through Dover in the morn,—
Mordanto's landed from Leghorn.

From Paris—Gazette à la main—
This day arrived, without his train,
Mordanto, in a week, from Spain.

A messenger comes—all a-reek,
Mordanto at Madrid to seek,—
He left the town above a week."

as gave us a substantial power in treaty was gone, and yet we were compelled by the diplomatic conditions of the crisis to demand that an abandonment by France—or rather the French royal family—of all claim to the throne of Spain, was a preliminary and fundamental condition of a final treaty for the disposal of all claims. We have followed the grotesque and gallant career of Peterborough, and seen him established at Barcelona. The possession of this town with its strong fortifications, served not only for providing a sufficient gathering and organising point for the forces of the allies, but it served as a capital for their “King of Spain.” That Barcelona belonged to King Charles came on King Philip and his Court at Madrid as a blow, and a reversal of their position from triumph to danger.

We must now turn to the French Huguenot, Lord Galway, as the most prominent figure in the camp of the allies. We have seen how he had lost his right arm by a cannon-shot at Badajos; and it was not yet healed when, in conjunction with the acquisition of Barcelona, he thought it his duty to urge an advance of Portuguese troops on Madrid to co-operate with such force as the Archduke should bring from Barcelona. At Alcantara Galway’s force performed a considerable exploit in driving out a garrison placed there by Berwick, who was now, with all the influence of his formidable reputation, the heart of the French cause in Spain. At Alcantara “ten good battalions” of Berwick’s force were taken, and sixty pieces of cannon, with a mighty supply of small-arms. Thus within the influence of a triumphal career, it was resolved to march to Madrid, where, no doubt,

Galway’s army would meet an army from Badajos, with, if all went as well as it should, “Charles, King of Spain,” at the head of it. They were still on their triumphal march, and had reached the bridge of Almanza, when one of the incidents peculiar to Peninsula wars shattered all the complex adjustments of the accomplished general. The Portuguese troops said they were tired of the affair and would go no further.

A general is not entirely at the mercy of troops so disposed—at all events, if they can completely disorganise his army, he can generally defeat any organisation they may attempt either for simple retreat or for an alteration of the object of the march. The one thing they would not do was to march straight on to Madrid, and that was the one thing essential; for, as the mortified general explained, “in all probability we must have arrived there at the same time with the Duke of Anjou’s being returned to France; the duchess must have been obliged to escape alone; and the tribunals being still there, it is very likely the war would have been over.”¹

One requires to be familiar with the caprices of this war, to believe that had “the King of Spain” supplied from the royal family of France—the same who, after the war was over, remained King of Spain as Philip V.—been found serene in his capital with the usual organisation, civil and military, appropriate to the Court of a king of Spain, the whole might have been recast, and “King Charles” placed and secured on the throne. It is another unexpected incident, that though the Duke of Anjou—King Philip—was

¹ Parl. Hist., 943.

not in Madrid when news of Galway's marches reached him, he went to Madrid, and like a military commander who dismantles a fort threatened by an overwhelming force, he removed not only the troops, but the Court, the tribunals for the administration of justice—everything that made Madrid the capital of a great and ancient kingdom. Hence, as Galway said, when, after much difficulty, he brought a portion of his army to the desired end, "on our arrival there we found Madrid an open village."

If the opportunity that had been lost when Galway failed in his object of a prompt march to Madrid, had been restored by his gallant and skilful treatment of his difficulties, it was lost by another evader of the duty to be present at Madrid at the propitious moment. The Archduke—"the King of Spain"—should have been there to take possession of his kingdom, but he was not. The world was amused with the old difficulty—the organisation of a train sufficiently august for ushering the King of Spain and the Indies into his capital. Peterborough, with all his restlessness and energy, had returned to Barcelona, but "the king" had the advantage of stolid immobility. It seemed to be more for his own exoneration than in any hope of success, that Peterborough arranged to take a force by Valencia to make an absolutely clear path for the royal train. The serene composure of the immovable king he had undertaken to play upon the board, irritated him out of his steady perseverance in observing the etiquette due to a royal master; and considering whether he can do anything from his own resources, he says the king "shall change his note before I make the experi-

ment, and not use me with such foolish ill-breeding." But an impulse of generosity overtakes him, and he declares, "I am resolved to make one effort more to see if anything can touch a German heart. I have received a good sum of my own,—the king and his troops shall have every farthing of it, and I will send it in gold with all expedition."

These small matters reveal the poverty of the Archduke's Court. It seems not to have been what might be called a negative poverty—a fixed deficiency to be filled up by a stated subsidy from Britain—but a positive poverty, like the meagreness of the dinner-table assailed by the harpies; an active, absorbent poverty such as no reasonable subsidies or other sources of supply could assuage. One thing alone was certain, that unless the train was provided in perfection, the king would not move from Barcelona. Nor had it any effect except adding insult to injury that Peterborough, in an access of blasphemy against etiquette, said to him, "Our William the Third entered London in a hackney with a cloak-bag behind it, and was made king not many weeks after."¹

We have been drawn into this separate story further than we should have gone in limiting our history to "The British Empire." There is a warning to stop in time that the name of our country be not unjustly compromised. We have seen the liberal issues of money from the Treasury, and that cost to the country in the sacrifice of brave men's lives, not to be spoken of as liberality, because to justify it would require a higher sanction. We now come to

¹ Stanhope—War of Succession, and MSS. quoted there, 194-199.

a point when to count that what follows belongs to British history, would be to load our country with disgrace utterly unmerited. On the 15th of May in the year 1707, was fought the critical battle of Almanza. The generally received estimate of the numbers present is twenty-five thousand on the side of King Philip and nineteen thousand on that of King Charles. We shall see, however, that dubieties about the numbers present became troublesome in Parliament, from the question whether by some few thousands all the troops for whom money was voted by the British Parliament were there. There is reason to believe that the number of British soldiers in the battle, if they exceeded three, did not reach four, thousand. They might have passed unnoticed, but that the stubbornness of their race made them troublesome to the victors when all else in the army of King Charles had been swept from the field. His defeat was a sore trial to the gallant Huguenot Galway. Perhaps his old wound, uncured as it was, may have clouded the absolute lucidity of observation and judgment that must belong to a commander on the battle-field; and he was sorely wounded on the face, so as indeed to be blinded, before all was over.

It would not be easy, perhaps, to bring up another instance where the destinies of so great an empire as that of Spain have been determined by so small an affair. But the battle of Almanza was only the typical drop in the bucket—the last incident that proclaimed the victorious side. Had the battle been gained by the Austrian side, there would have only been some longer lingering of a wretched war, where little was

to be achieved by any of the parties concerned in the ultimate issue, and nothing by us. France had, during the few years of contest, gradually secured the great prize at issue—the attachment of the Spanish people, especially of the potent population of Old Castile. Whether it had been through the all-pervading influence of the priesthood, or some other of the subtle motives that pass unseen among the humbler inhabitants of districts establishing among them hidden motives waiting for their opportunity to start into life; so it was, that the Spanish people—not an active, enterprising, enlightened people, but tenacious of their prepossessions—would at any opportunity have given their adherence to King Philip with a sweeping majority. True, it was within the range of possibilities that this obstinate people might be conquered by the sword and subdued to reason. We may hope that our country would never under any possible conditions have undertaken such a task, but we may feel absolutely certain that even with the most lavish demands on her bravery and her wealth, she would not have succeeded in the task had she undertaken it.

We had in Spain no reserve ground on our side of the fighting districts—no ready base of operations as it is sometimes called. The Netherlands, and even the provinces of the Lower Rhine, when we remember our fleet, are nearer home and more accessible to us than to the French. Hence, in the one war we fought and gained great battles, while in the other we had nothing but a slightly successful and harassing contest with difficulties. Was nothing gained, then, by us in this Peninsular war? Yes; we gained

and retain Gibraltar. It is true that we might as easily have taken that fortress on a rock without marching our troops through the centre of the Spanish territory, but it is possible that we might not have had the excuse and the opportunity that we did find for taking possession. There was another acquisition of the same kind. It was desirable that the British fleet should find a winter retreat near the army in Spain—a place where nature had provided shelter from the elements, and there were fortresses or spots suitable for fortification. Port Mahon, a rocky recess in the island of Minorca, seemed suitable for the supply of this want. The duty of securing this retreat fell to General Stanhope. That this was not to be effected without sacrifice, was all too sadly proved to him by the loss of his brother in the attack. Perhaps at the time there was no object beyond the protection of the fleet for this acquisition, but this was an object so vital that Marlborough wrote the words, “I am so entirely convinced that nothing can be done sufficiently without the fleet, that I conjure you if possible to take Port Mahon.” The attacking force was mixed, but there was a significance of ulterior design in the garrison left for subsequent service being purely British. General Stanhope took a title from this rocky haven—a title that has come down to us in genial association to the present day.

The retention of Gibraltar, and now of Port Mahon, were the first-fruits of an important policy. Britain wants no man’s land, but it wants protection for its vast commerce and those concerned in it; and to this effect barren rocks with available harbours running into them—worthless comparatively speaking to

other nations—become precious possessions to us. Lord Palmerston called them “sentry-boxes,” so divested are they of everything but what is available for an army and a navy force. They might perhaps be more aptly called police stations for the protection of British trade, and when effectual for this they also largely help in protecting the trade of all the world. Under General Stanhope the fortifications of Port Mahon were strengthened. The place was thus immediately treated as a British possession, and it so remained down to the wars immediately preceding the French Revolution, conspicuous by the siege of Gibraltar. It was taken by Spain after a tough siege. Not being so valuable as Gibraltar—being, in fact, superseded by the acquisition of Malta—it was permitted to remain in the hands of Spain,—a result not of frequent occurrence when any place drops into the hands of Britain by the fortune of war.

We have now done with Spain until we come to the distribution of the dominions of the Spanish crown by the Treaty of Utrecht. Before, however, going home to take up a thread of history totally different in its character, the author takes the opportunity of briefly noting the character and claims of a book that has afforded to him valuable instruction on the general character of the war, along with special instruction in its leading events, although the book itself is held by general repute to be a romance by Daniel Defoe. The title of the book stands as follows:—

‘The Memoirs of Captain George Carleton, an English Officer who served in the two last Wars against France and Spain, and was present in several

Engagements both in the Fleet and Army; containing an Account of the conduct of the Earl of Peterborough,' &c. London: 1743. Wilson, in his 'Memoirs of Defoe,' iii. 589, says this book "belongs to the same class of writing as the 'Memoirs of a Cavalier;'" and it has some passages that bear a strong resemblance to the other works of the same. It is therefore possible that Defoe has the best title to the authorship, and as such it deserves a conspicuous place amongst his other writings." The book has been classed in the 'Bibliographical Manual' of Lowndes, and in the catalogues of the principal public libraries, under Defoe's name.¹

Lockhart, in his 'Life of Scott,' says: "I believe it is now pretty generally believed that 'Carleton's Memoirs' were among the numberless fabrications of Defoe; but in this case, as in that of his 'Cavalier,' he no doubt had before him the rude journal of some officer who had really served in the campaigns described with such an inimitable air of truth."²

This seemed to be conclusive. It was not only the judgment of scholarship and genius, but the opinion of one who had devoted the mature years of his life to services demanding a treasury of critical sagacity. An author less known to fame is more distinct and emphatic. In reference to Dr Johnson's admiration of the Memoirs, he says: "The great reason of this predilection of the great doctor was, that Lord Peterborough deserted republican principles, and took

¹ In the great Catalogue on the round table of the British Museum the question is left open, thus: "Carleton, George, Captain—pseudo? (i. e., Daniel Defoe?)."

² Life of Scott, ii. 172.

effective vengeance on the Whigs in his place in Parliament. His career had been partly embodied in one of Defoe's romances, called 'Captain Carleton's Memoirs,' where Galway had been artistically used as a mere foil to set off Peterborough."¹

Lockhart's note is appropriate to the occurrence of Scott having edited Carleton's book in the year 1808. The great master contradicts, in anticipation, the opinion of his biographer by adding words not to be found on the title-page of the previous edition—"written by himself,"—that is, by the man named on the title-page. It is to be regretted that Scott gives us no more than this simple assertion.

The reasons for Defoe's authorship are a curious instance of illogicality in the conditions. The work is so exactly what a plain intelligent man, who had seen and taken part in all that he narrates, would have made it, that it must be the work of the cleverest of imitators. Dr Johnson was more correct when he "told Sir Joshua Reynolds that he was going to bed when it came, but was so much pleased with it that he sat up till he had read it through, and found in it such an air of truth that he could not doubt of its authenticity."²

The author of 'Daniel Defoe, his Life and recently discovered Writings, by William Lee,' says: "It was with great misgivings that I first began to entertain doubts as to its paternity; but in order to remove all possible doubt I read through it carefully and critically several times, until, contrary to my incli-

¹ Henri de Ruvigny, Earl of Galway: a filial Memoir. By the Rev. David C. A. Agnew. 4to: 1864. P. 113.

² Boswell, edit. 1835, p. 336.

nation, the conviction was forced upon me that Defoe had nothing whatever to do with any part of the work."¹

Lord Stanhope came gradually to the conclusion that "Carleton was not, as has sometimes been asserted, an imaginary character worked into a fiction by Defoe."² Still there was a certain caution and hesitation in trusting to a full and minute story of a war on internal evidence of genuineness, confirmed as this was in some measure by coincidence with the private papers of Brigadier Stanhope. It was only when the ample statements from the seat of war, stored in the British Museum, became available through the Catalogues of Additional Manuscripts, that the accuracy of Carleton's story could be subjected to a conclusive test. The result is in the first place to clear off even the possibility of Defoe's authorship, because he could not have discovered the fundamental facts of the narrative without access to documents jealously guarded in the private repositories of those who held them as confidential. Hence these papers do a signal and special service in franking to the world the captain's story; and it has been accepted in this history as the statement of an officer and a gentleman endowed with the faculty of accurate and animated narration, and throughout worthy of reliance accordingly.

The book at the same time abounds in passages that would have enabled contemporaries to denounce it as a fiction, or to deny the accuracy of what the author says of himself and others. So at the crisis of the siege of Barcelona—the preparations in the

¹ Three vols., 1869, i. 439.

² Reign of Queen Anne, 195.

evening for the storming at dawn—we find the captain intrusted with a delicate and dangerous duty. Three batteries had been erected to cover the storming-party, but a fourth was desirable, in a hollow with precipitous banks. "However, when I came to the place, and had carefully taken a view of it, though I was sensible enough of the difficulty, I made my main objection as to the time for accomplishing it; for it was then between nine and ten, and the guns were to be mounted by daylight. Neither could I at present see any other way to answer their expectations, than by casting the cannon down the precipice, at all hazards, to the place below where that fourth battery was erected." The arrangements being completed, "Major Collier, who commanded the train, came to me, and perceiving the difficulties to the undertaking, in a fret told me I was imposed upon, and vowed he would go and find out Brigadier Petit, and let him know the impossibility, as well as the unreasonableness, of the task I was put upon. He had scarce uttered those words, and turned himself to perform his promise, when an unlucky shot with a musket-ball wounded him through the shoulder; upon which he was carried off, and I saw him not till some considerable time after." In the end he got "the guns, by the help of fascines and other lesser preparations below, safely let down and mounted; so that that fourth battery began to play upon the town before break of day, and with all the success that was proposed."¹

Presently on the march, turning a garrison at Villena, we are again in personalities that might have

¹ Edit. 1743, pp. 112-114.

been contradicted. "I had all along made it my observation that Captain Matthews, who commanded those dragoons I marched with, was a person of much more courage than conduct; and he used as little precaution here, though just marching under the eye of the enemy, as he had done at other times." Carleton shows him where an ambuscade is posted, and over and over remonstrates; but Matthews will onwards, and is rescued by a shred of the good luck that attended the marches of Peterborough. The forces in ambuscade "stood their ground till we were advanced within two hundred yards of them, and then in confusion retired into the town. They were obliged to pass over a small bridge—too small to admit of such a company in so much haste—their crowding upon which obstructed their retreat, and left all that could not get over to the mercy of our swords, which spared none." Thus they passed in triumph the fortifications of Villena. The commander then sent an apologetic message after Captain Matthews, complaining of the poltroonery of his Spanish followers who had spoilt a hopeful passage at arms. He was an Irishman named O'Rourke, who "was next year killed at Aikay, being much lamented; for he was esteemed, both for his courage and conduct, one of the best of the Irish officers in the Spanish service. I was likewise informed that he was descended from one of the ancient kings of Ireland."¹

Carleton is wounded and becomes a prisoner of war on the capture of Denia, but he has still a world of gossip, such as would trip him up continually if

¹ Edit. 1743, pp. 191-193.

it were drawn out of a fertile imagination. Thus he hears of some incidents at the springing of a mine at Alicant, garrisoned by a portion of Peterborough's army. A mine was to be sprung. It was known to the garrison. The country people crowded together on a hill to see the explosion, but a certain Colonel Syburg with some others maintained that the preparations were a pretence; and in token of incredulity they would drink the queen's health on the doomed bastion. "Upon this my relator, Syburg's gentleman, said he was sent to fetch the stipulated two bottles; returning with which, Captain Daniel Weaver, within thirty or forty yards of the battery ran by him, vowing he was resolved to drink the queen's health with them; but his feet were scarce on the battery when the mine was sprung, which took him away with the rest of the company, while Major Harding, now a justice in Westminster, coming that very moment off duty, exchanged fates."¹ That is to say, as the hilarious party stepped on the bastion Major Harding, his duty then at an end, stepped off it. Then follows some thoughts on predestination, fatalism, and other cognate matters, much akin to Defoe's ruminations in his serious moments, but also of a kind common to many people of the day, Captain Carleton included.

It would be difficult to find other passages in the book, where Carleton individualises himself. This deserves notice, because Defoe, probably to make his story more emphatic and life-like, generally saturates

¹ Edit. 1743, p. 241.

his fictions with egotism. This was a logical necessity in the conception of Robinson Crusoe, who, through the most critical part of his story had nobody else to speak about. But Captain Singleton, the Cavalier who is generally in crowded action, ever brings himself to the front.

CHAPTER XI.

The Sacheverell Commotions.

ANNIVERSARY SERVICES OF THE CHURCH OF ENGLAND—HENRY SACHEVERELL—HIS FAMILY AND EDUCATION—HIS CHARACTER—HIS "GUNPOWDER TREASON SERMON"—THE ASSIZE SERMON—AGGRAVATIONS IN THEIR PUBLICATION—RISING EXCITEMENT IN THE COUNTRY—GREAT QUESTIONS OPENED—THE QUEEN'S TITLE—TOUCHING FOR THE EVIL—THE DEFENCE OF THE SUCCESSION IN THE HOUSE OF HANOVER—THE CHALLENGE TO THOSE WHO WOULD TAKE THE RISK OF QUESTIONING IT—INQUEST FOR DISCOVERY OF JACOBITISM—DISCUSSION OF GREAT CONSTITUTIONAL QUESTIONS—THE BISHOPS—SACHEVERELL'S PLEADINGS.

AT this point we are drawn into the undignified but exciting episode beginning in Sacheverell's "Gunpowder Treason Sermon." The liturgical calendar of the Church of England had begun the commemoration of events more closely associated with fresh historic memorial than the translation days of ancient and often questionable saints in the *Breviarium Romanum* were apt to be. There were two of these commemorations in the reign of Charles I., much valued and cherished in the egotistic heart of his father. The one was the 5th of August, the day of his escape from the conspiracy in Gowrie House; the other, the 5th of November, was the commemoration of the renowned Gunpowder Plot.

After the Restoration, the Gowrie commemoration was dropped; but two others of great significance came on the calendar, and were graced with appropriate special services: the 30th of January, "being the day of the martyrdom of the blessed King Charles the First;" and the 29th of May, the day of the Restoration, and also the birthday, of his son. Among a people such as the English, it naturally befell that exercises in abstract piety were not the sole or even the principal result of commemorations capable of stirring to their furthest depths the partisanship and animosities of the day, both political and polemical. Accordingly, as each commemoration-day approached, the services of some redoubted pulpit orator were sought for the improvement of the occasion; and in conspicuous places, where the tone of the address would have a corresponding influence, there was often a struggle between parties, each demanding a champion attached to its own banner. When each affair was over, the words of the orator were subjected to critical and passionate comment; and if his oration had been conspicuously bold or sarcastic its influence was not limited to a district, but it became the news of the day all over England. It was the fortune of Sacheverell, on the 5th of November in the year 1709, to preach from the pulpit of St Paul's, the most illustrious rostrum in the land; for it was not only the cathedral church of London, but it succeeded to the traditionary influences of "Paul's Cross," famed as the source of momentous announcements from the inauguration of Richard III. downwards.

On this occasion there was not much in the his-

tory and character of the selected orator to presage a storm. Henry Sacheverell belonged to a worshipful family boasting a good pedigree, and possessing estates for the heir and church livings for the cadets of the house. In one of these Henry began a career that promised to be tranquil as that of the great bulk of his class. He was an eloquent preacher, however, and his fame as a pulpit orator drew him to the metropolitan flock of St Saviour's, in Southwark. He left no testimony to his capacity as an author save sermons printed after delivery, and casual pamphlets. These are far above the level of the contemporary literature of that class, both in their good English composition and their good taste.¹ They

¹ The earliest specimens of Sacheverell's literature that I can find carry us back to the year 1702. One is "A Sermon preached before the University of Oxford on the 10th day of June 1702, being the Fast appointed for imploring a Blessing on her Majesty and Allies engaged in the present War."—Adv. Lib., No. 753, pp. 4, 5. There is nothing here to prepare us for the thunder of the High Church enthusiast converted into the demagogue. The country is exhorted to a confidence founded on the goodness of the cause and merited favour from above. And all is adorned with a decorous and subdued eloquence, as, "How many fleets have been dissipated with a mist, and blown up with a spark of fire! So that the final sentence of a whole kingdom has oftentimes been pronounced in a few syllables of a verbal mistake, and a mere gust of wind has blasted the fortunes of an empire. . . . This unaccountable conduct in human affairs, which the blind world has miscalled by the name of fortune, is the unsearchable guidance of an all-wise Providence, baffling and counter-plotting the shallow projections of reason, and overruling and directing them not only beyond but beside their own powers and tendencies. This is that which, like a sudden flash of lightning from heaven, has often blasted the laurels on the hero's head, changed his crown and sceptre into chains and fetters, his throne into a dungeon, and his victory and triumph into conquest and captivity."—Pp. 16, 17.

I have at hand a pamphlet of the same year, called "The Political Union; a Discourse showing the Dependence of Government on Religion in general, and of the English Monarchy on the Church of Eng-

are strewed with references to the Latin classics with a profuseness that would be counted pedantic in the present day. In his time, however, the flowers of classic genius were still, in a great measure, fresh and new to the common world of readers; and the apophthegm or antithesis, now worn to flatness by incessant and often inappropriate citation, was then fresh and pungent. We may count it a testimony both to his social worth and his scholarly attain-

land in particular." By Henry Sacheverell, M.A., Fellow of Magdalen College, Oxon.: Oxford, 1702. The text of this discourse is—"By Me kings reign, and princes decree justice." This text is applied, with generalities, to the necessity of religion as the safety and support of a State; and if anything in the history or politics of England was in the author's eye when he wrote what follows, it must certainly have been the reign of Charles II.:-

"When once a warlike nation, that has been raised by hardship and danger, by fatigue and toil, by industry and parsimony, by discipline and policy, is unfortunately cast into the hands of a lavish, idle, and extravagant successor, who makes his pleasure the end of government, the grandeur of his predecessors shall only lead the way to his misery; and 'tis generally seen that such an one shall pull down and destroy, in the small compass of one reign, what has been the work and labour of many ages to raise."—P. 42.

When, emerging from the vague declamation so abundant in the literature of this class, the author touches on the practical affairs of the day, he reveals to us that he was among the first to proclaim the enmity to "Occasional Conformity," destined, a few months later, to be so conspicuous and troublesome. The "occasionals" are described by him as "those crafty, faithless, and insidious persons who can creep to our altars and partake of our sacraments, that they may be qualified, more secretly and powerfully, to undermine us." But still more hotly does he castigate those "false brethren" of the Church who welcome the "occasional;" and he hopes to see the day when every "true son of the Church" shall learn how to treat those who would have taken down its fence and removed its landmark to make way for all men of a free and unbounded persuasion to enter to debauch its doctrines, overrun its discipline, and to subvert the very being of that constitution which is at present the only support of the Protestant religion in the world. . . . These shuffling treacherous latitudinarians ought to be stigmatised and treated equally as dangerous enemies to the Government as well as the Church."—P. 49.

ments that, in 1694, Addison dedicated to him, as "dearest Henry," the poem called "An Account of the Greatest English Poets."

In such characteristics as these we have nothing to prepare us for the advance upon the stage of the virulent unscrupulous charlatan who, to accomplish his own ends, was to sway the rough mob of London, and gain the hearts of orthodox aldermen and high sheriffs. Hence the earliest authors who took up the affair, not merely as retailers of news but as historians of events in their natural sequence, seem to have felt themselves bound to account for the phenomenon of his meteoric career in the character and endowments that, springing up in early youth, had come to maturity for the great occasion. Accordingly, after the fashion of the Newgate Calendar school of literature, which tells how the victim of Tyburn tree developed a precocious propensity for cheating at play and haunting the ale-house, so the youth of Sacheverell was marked by the insubordinate restlessness, the spirit of defiance, and the haughty temper, that matured themselves in the accomplished and successful demagogue.¹

But in fact his career was none of his own making;

¹ For instance: "Dr Henry Sacheverell was a man of a large and strong make, with a good symmetry of parts, of a livid rather than a ruddy complexion, and an insolent overbearing front, with large staring eyes, but no life in them,—a manifest indication of an envious, ill-natured, proud, sullen, and ambitious temper. . . . Having made some tolerable improvement in classical learning, he was sent by Mr Hearst to the University of Oxford, and admitted into Magdalen College, where he had not been long before he discovered his turbulent, audacious, and imperious temper, by his disrespectful behaviour to his superiors, his insolence to his equals, and his imperious and tyrannical usage of his inferiors, especially the college servants, on whom, after he was fellow, he usurped such an absolute authority as rendered him

it was a creation of imperious political forces. Accident brought him within the sweep of these powers, and a certain personal quality, not of an exalted kind, made him master of the situation when he

intolerable."—Paul Chamberlen, *History of the Life and Reign of Queen Anne*, 331.

"Dr Sacheverell was a bold, insolent man, with a very small share of religion, virtue, or good sense."—Tindal, iii. 149, 150.

He "was bred at the public school in Marlborough, at the charge of one Edward Hearst, an apothecary, whose wife surviving him, continued his charity to Sacheverell, and sent him to Oxford. . . . He had not been long at Oxford before she discovered his turbulent, violent, and imperious temper,—the more ill-becoming in him, because he subsisted by charity. He was remarkable for his disrespectful behaviour to his superiors and his insolence to his equals. The very make and look of him were an index to his character. . . . Having a small benefice given him in Staffordshire, he gave great scandal to the sober and religious people in his neighbourhood by his immoralities, which are set forth in a treatise entitled 'Peril of being zealously, but not well-affected,' written by a minister of the Church of England, one of the brotherhood of St Katharine's. While he was at his parish, or Oxford, he fell in with the most furious of the Jacobite party, made scurrilous reflections on the death of King William and the Hanover succession; and when the queen appeared against the High-Church memorial, he had the impudence to call her a 'waxen queen,' 'whereby,' says the annalist, 'he alluded to or gave the hint of the tacit jest that was put upon her at Oxford, by those who put her motto of *semper eadem* on the vane of a weather-cock.'"—Oldmixon, *Hist.*, ii. 429.

To satisfy the cravings of those who dived into the primary causes of so exceptional a phenomenon as Sacheverell's career, his ancestry was sought out; and it was found that he had come of a turbulent race of ecclesiastical trouble-worlds, while it gave zest to the revelation that these all assailed the Church of England from the Puritan side. "His grandfather, Mr John Sacheverell, on the very day of King Charles the Second's coronation, preached on this text: 'But if ye shall do wickedly, ye shall be consumed, both you and your king.' The observation he chiefly insisted upon was, that wicked men, continuing in their wicked actions, are the greatest traitors to the king and State wherein they live. Several of his auditory went out of the church in the midst of sermon, and the rabble got together, and in the market-place, at Wincanton, impanelled a jury from amongst themselves, and represented a formal trial of the preacher; after which they drew him in effigy, with a book in his hand, which they called his catechism, upon a hurdle to the top of a hill, where a great bonfire was prepared, and the effigy

found himself in it. That quality was vanity. In him this passion was absorbing and supreme, in-somuch that the plaudits of a mob, however base, brutal, and barbarously ignorant it might be, was to him, scholar and gentleman though he might call himself, more charming than divine philosophy.

There was, indeed, throughout the political elements of the day, an apparatus of hostility hidden and deep-rooted that must break forth at some early opportunity. There was a depressing feeling that the Revolution Settlement was, with its corollary the Hanover succession, in imminent danger; and its supporters had an uneasy desire to work out a final answer to the question—Who is for us, and who is against us? The question must be fought out in Parliament,—and it must be fought, not upon some general principle of the right of resistance against tyranny, or on some question as to the validity of existing conditions, such as the validity of the queen's right to the throne; but upon the great question of implicit approval of all that was done by the promoters of the Revolution, and by those who followed it up by excluding the house of Stewart and selecting the house of Hanover as the line of succession. It was difficult to find a battle-ground where these great questions could be fought out—a parliamentary issue that would drive men to commit themselves to one

of this pious man was stuck upon a pole and placed in the middle of the flames, where it was consumed. Henry Sacheverell's uncle Timothy, being driven by persecution from his house and flock at Tarrant-Hinton, removed to Winterbourn, in the same county of Dorset; where, upon the Indulgence in 1672, he fitted up an outhouse for a place of worship, and the rabble set it on fire, to prevent its being put to that good use."—Oldmixon, ii. 429.

side or the other. The first opportunity that offered itself was accordingly seized. Like other openings of political flood-gates, it brought many results unwelcome to those who had opened them. But the most conspicuous or showy article that is carried off on the surface of a flooded river has no more influence on the forces that carry it onwards, than Sacheverell had on the influences that led him on to glory. Given the political influences at work, his rapacious vanity, and the opportunity afforded by his sermon, and we have enough in the temper of the times to account for his career.

It remains to say a word about the nature of that renowned sermon. Our great popular preachers are apt to leave a fuller testimony to their powers than our great public orators. The words of the minister of the Gospel must be well weighed, or must at least come forth in such deliberate fashion as if they were so. They are not influenced by the turn of a debate or by the cheers or derision of a mob. They are generally written out before delivery, and thus are given forth in print precisely as they were delivered. Yet even such distinct testimony to what was said can only impart to us a portion of the power of the preacher over those who have heard him. We need not, however, make much allowance for what is thus unknown and incapable of appreciation, in deciding that Sacheverell's sermon on this occasion was the work of a great artist. There is nothing in it of the vulgar ranter. It has a thoroughly scholarly tone, offering critical contest on interpretations of weighty passages in the original sources of the accepted Bible. It is argumentative where argument is wanted, and

occasionally rises into fine climaxes of eloquence. At the outset the preacher adroitly fortified himself at a weak point by expressions that forbade any of his audience to interpret anything favouring or countenancing Popery—anything but the sternest hostility to that cause so far as it might come in question in the pursuit of his main object. The day to be commemorated—the 5th of November—gave him his opportunity, and he seized it thus :—

“Among all the most dreadful plots that ever threatened this Church and kingdom, the dismal tragedy contrived at this day to be executed on both, may justly claim the horrible precedence, and, consequently, the highest expression of our gratitude for so astonishing and miraculous a deliverance from it. For whether we consider the black depth of its subtle contrivance, the destructive extent and sanguinary consequences of it, or its surprising and unaccountable discovery, we must confess that nothing but the all-powerful and gracious hand of God, interposing against the utter subversion of our nation and religion, could have prevented such a fatal conspiracy; a conspiracy so full of the most unheard-of malice, most insatiable cruelty, most diabolical revenge, as only could be hatched in the cabinet council of hell, and brought forth in a conclave of Romish Jesuits.”

The orator's blows are not levelled against Dissenters or revolutionists unless by inference. The great current of his vehemence is against those fellow-Churchmen who nourish and encourage Dissenters, who prate about a comprehension, and pander to “Occasional Conformity.” The text is taken from

St Paul's climax of his sufferings for the great cause : "In journeyings often, in perils of waters, in perils of robbers, in perils by mine own countrymen, in perils by the heathen, in perils in the city, in perils in the wilderness, in perils in the sea, in perils among false brethren." "In this theoretical abridgment of the sufferings and dangers of his life, there is a very observable gradation ; the apostle still rises in his calamities, and puts the last as the highest perfection of his misery, as that which made the deepest impression upon his passions, and what he bore with the greatest resentment and difficulty. The many severe pains and tortures inflicted on his body were nothing to this—nay, the good-nature and mercy of highwaymen and pagans, and even the devouring bosom of the deep, were to be preferred before—and sooner, it seems, to be trusted to—than the more certainly destructive and fallacious bosom of a treacherous, false brother."

And when warming into righteous indignation, he exposed the machinations of these false brethren, it was in a tone well fitted to rouse a kindred spirit among the true brethren of the High Church party who listened to his words : "Is this the spirit and doctrine of our holy mother ? to assert separation from her communion to be no schism ; or if it was, that schism is no damnable sin ; that occasional conformity is no hypocrisy, but rather for the benefit of the Church ; that any one may be an occasional conformist with schismatics and yet not guilty of schism ; that a Christian may serve God in any way or congregation of worship as well by extemporary prayers as by a prescribed form and liturgy ; that conformity

to the Church and ecclesiastical authority are no parts of morality and a good life, which are only necessary to salvation ; that the orders and ceremonies of the Church are only carnal arbitrary obediences, to be dispensed with as men please both by clergy and laity ; that the censures and excommunications of the Church are mere *bruta fulmina* ; canonical obedience and absolution, spiritual tyranny and usurpation ;—and, in a word, that the whole body of the worship and discipline of the Church of England is nothing else but priest-craft and Popery in masquerade."

Again—

"Now let us, I beseech you, in the name of God, fairly consider what must be the consequence of this scandalous fluctuation and trimming betwixt the Church and Dissenters, both in conscience and prudence. Does not this innovating, in giving up or receding from any one point or article in our faith, violate and affect the whole frame and body of it ? Can we either add to or diminish from the least jot of our religion ? Are we to take it as our Saviour and His apostles delivered it down to us ? Or have we authority to curtail, mangle or alter it, to suit it to the pride, humours, caprice, and qualm-sick stomachs of obstinate moody, wayward, and self-conceited hypocrites and enthusiasts ? Will not such a base and time-serving compliance give the enemies of our Church an occasion of blaspheming her as weak and inconsistent ? Will it not argue the illegality of her ordinances and laws, or that they were too rigid and wanted an abatement ? Will not this harden, encourage, nay, justify the Dissenters in their opinion of their separation, when they see such large allowances and concessions made in

its favour? What dishonourable and unworthy opinions must they entertain of the priests of that Church who can sacrifice their most solemn declarations and oaths to compliance and preferment? What would be the end of all this but to establish heresy and Erastianism upon the ruins of our faith and discipline? Would not this spiritual legerdemain—this fallacious tricking and double-dealing—eradicate all the principles of truth and honesty, or piety, out of men's minds? make them unconcerned whether there is any or no religion? run them into a universal scepticism and infidelity, and make them all atheists or papists?"

He found it within the scope of his exhortation to lift his testimony against a prominent feature in the literature of the age—the books composed by men of learning and genius devoted to the propagation of scepticism, and even of positive infidelity. This was the inevitable result of the effacing of the boundary between truth and falsehood—between the Church and schism. Though the Nonconformists would have abjured the logic that found such a cause for it, they mourned the indisputable result at least with as much sincerity as Sacheverell and his followers.

It was not to be expected that while Churchmen who were tolerant and sympathetic towards Dissenters were chastised, the Dissenters themselves should escape the lash. But it was difficult to say what he felt against them, lest he might come under the charge of attacking the Legislature; for by the Act of King William's reign, commonly called the Toleration Act, certain privileges were secured to Dissenters. True, an effort had been made to restrain

these privileges by the Bill against Occasional Conformity, but that had not yet passed into an Act. In that age the Acts of Parliament were more sacred from criticism outside than they are at the present day. The political convulsions from the meeting of the Long Parliament to the Revolution had associated the questioning and criticising of the Acts of the Supreme Legislature as the premonitory symptoms of some great political convulsion. A sensitiveness of this kind is a key to the whole tone and tenor of the Sacheverell prosecution, since it was maintained that, under a pleading for absolute obedience to the supreme power, he attacked what the supreme power had accomplished in the Revolution.

His tactic for letting the bitterness of his hatred towards the Dissenters be felt without disputing the law which tolerated them, was adroit. He railed at them for deeds of the past—deeds which no one could defend. He anticipated a future of political horrors if they continued to be indulged as they had been. And then, in a manner almost sarcastic, he reserved a special concurrence in that Act of the Legislature which was the one substantial testimony to the connivance that called up all his wrath.

"A man must be very weak, or something worse, that thinks or pretends that Dissenters are to be gained or won over by any other grants and indulgences than giving up our whole constitution; and he that recedes the least tittle from it to satisfy or ingratiate with these clamorous, insatiate, and Church-devouring malignants, knows not what spirit they are of." Queen Elizabeth in her wisdom saw through it all. It would endanger the monarchy, as well as the

hierarchy; and, like a queen of true resolution and pious zeal for both, pronounced that such were the restless spirits of that factious people, that no quiet was to be expected from them till they were utterly suppressed, which, like a prudent princess, she did by wholesome severities, that the crown for many years sat easy and flourishing upon her head.¹ And had her successor, King James, but followed her wise politics, his son had never fallen a martyr to their fury, nor any of his unhappy offspring suffered those disastrous calamities which made the royal family one continued sacrifice to their malice. And what better could have been expected from miscreants begot in rebellion, born in sedition, and nursed up in faction? I would not here be misunderstood, as if I intended to cast the least invidious reflection upon that indulgence the Government has condescended to give them—which I am sure all those who wish well to our Church are very ready to grant to consciences truly scrupulous—let them enjoy it in the full limits the law has prescribed. But let them also move within their proper sphere, and not grow eccentric, and, like comets that burst their orb, threaten the ruin and downfall of our Church and State. Indeed they tell us they have relinquished the principles as well as the sins of their forefathers; if so, why do they not renounce their schism, and come sincerely into our Church?"²

¹ "What those wholesome severities were, your lordships have been told. They were hanging, burning, abjuration, confiscation, imprisonment, loss of estate, liberty, and life. I say no more of them: but I believe there is not one person here, but if these severities were inflicted on him, would be far from thinking them wholesome, and desire to be excused from them."—Speech of Sir Peter King, St. Tr., xv. 429.

² St. Tr., xv. 97, 98.

The preacher thought fit to tread on other ground, which he made dangerous to himself by an imprudent personality. He assailed those who, not zealous either as Low Churchmen or Nonconformists, encouraged comprehension and toleration in the spirit of political expediency. Persons in high places were pointed out as the object of this or that casual expression. For instance, in citing the passage in the Psalms, with the climax of reproach against his companion, his guide, his own familiar friend, he said, "In what moving and lively colour does the holy Psalmist point out the crafty insidiousness of such wily volpones!"¹

Whether or not the example was set by Ben Jonson in his play of "Volpone," the term had come into social use, in its Italian sense, as the equivalent of our own "old fox." It was said to have been thus applied to Godolphin before the sermon was preached, and to have been repeated by the preacher, because it had been so applied. If the minister and his friends remained in ignorance of the distinction conferred on him by the popular preacher, it was not through the neglect of the lampooners. The English common people have ever loved a well-aimed nickname, and this specimen of the art was widely scattered among them in bitter prose and doggerel.²

It would leave the scope of Sacheverell's offences incomplete if reference were not here made to a pal-

¹ The sermon will be found printed at length in the State Trials, xv. 71-94.

² For instance:—

"Now Britons mourn
Your liberty torne;
Now Jersey, the trickster, grave sorners has won,
To assist a great Duchess
Some believe that a witch is

pable opportunity of doing loyal service to the Revolution Settlement, put prominently before him, but silently evaded. The Fifth of November was not solely commemorated as the day of deliverance from the Popish plot for destroying the Parliament. By a coincidence, held by many people of that day not to be fortuitous, it recalled the most emphatic act in the progress of the Revolution—the landing of King William at Torbay. Hence the commemoration in the Book of Common Prayer was titled,—“A form of prayer with thanksgiving, to be used yearly upon the fifth day of November, for the happy deliverance of King James I. and the Three Estates of England from the most traitorous and bloody-intended massacre by gunpowder; and also for the happy arrival of his Majesty King William on this day, for the deliverance of our Church and nation.”

The preacher did not leave this coincidence entirely

To govern three realms, with arms and advices,
Of Volpone, Volpone, Churchill, and Ormond,
Loudon, Halifax, Wharton, and
Volpone, Volpone, &c.
Tho' by the Queen she was raised
Of honour, though once but a maid,
Yet she basely her mistress and Church has betrayed;
For which I dost fear
To see her hoist in th' air
With a curse in her mouth instead of a prayer.
Oh Volpone, Volpone, &c.
Canterbury, his Grace,
With dull writ on his face,
Must certainly have amongst them a place,
Or low-flying Church
Will be left in the lurch
By such damned protectors of Puritan race
As Volpone, Volpone, &c.”

—A Collection of Poems, &c., for and against Dr Sacheverell (1710).
In the second part, p. 13, the names have been filled in by inference,
only the initial and final letters of each being printed in the lampoon.

unnoticed. The omission might perhaps have been less offensive than what he did, for it might have been thought that the deliverance from the gunpowder suggested enough for one sermon,—the other commemoration might be dealt with on another occasion. But it so happened that there was a casual and almost contemptuous allusion to the second deliverance in that most offensive passage of the sermon which denied that there was opposition to the sovereign power in the Revolution. “Our adversaries think they effectually stop our mouths, and have us sure and unanswerable on this point, when they urge the Revolution of this day in their defence. But certainly they are the greatest enemies of that, and of his late Majesty, and the most ungrateful for the deliverance, who endeavour to cast such black and odious colours upon both.”

As the storm began to gather, the conduct of Sacheverell was that of one who would rather court and face it, than flee before it or seek shelter. Both the sermons were published as cheap pamphlets, each with an introductory dedication concentrating and aggravating its special offences. It might be supposed that the author, deeming the pulpit not the proper sphere of utterance for his heaviest vituperation, reserved that for the medium of the public press; but the whole affair seemed rather to bespeak a growing spirit of defiance, and he took care to proclaim full freedom of political speech in the pulpit, by saying in the dedication of the ‘Perils of False Brethren,’ “We are told by these men who would fain shut both our ears and our mouths, in order the more effectually to undermine and destroy us, that

the pulpit is not a place for politics; and that it is the business of a clergyman to preach peace and not sound the trumpet in Sion,—so expressly contrary to the command of God to ‘cry aloud and spare not.’”

The dedication to the Lord Mayor opened a subsidiary question. It begins: “By your lordship’s command this discourse ventures to appear in public, in contempt of all those scandalous misrepresentations the malicious adversaries of our Church have traduced it with, and that impartial sentence it had the honour to receive from some of those acute and wise judges who condemned it without sight or hearing; and it is set before the world, and especially the affluent citizens of London, that they may not be flattered into ruin, but seeing the fatal consequences of these damnable false doctrines which some seditious impostors have laboured to poison them with, may forsake and detest them.” They are recommended to come forth to the contest with “the same open undaunted resolution” that distinguishes the Lord Mayor himself. Yet it was asserted that Sacheverell had no right to say that the publication was by “command” of the Lord Mayor. It was said that the other members of the corporation were dead against the publication. Sir Samuel Gerard, the Lord Mayor, had personally given zealous support to the preacher; and had taken him in solemn parade to dine at the Mansion House when the day’s service was concluded; but whether or not he expressed a personal desire to expand the influence of the brilliant and orthodox exhortation to which he had listened, he had no right to order its publication as head of the corporation of London. But it was at the same time whispered

that there was a desire not to press any part of this question to a distinct issue, because it would have been necessary, had the order of publication been brought personally home to Sir Samuel as a member of Parliament, to expel him from the House of Commons, where he had many private friends.

The dedication of the other sermon was a still more emphatic act. It was addressed to its author’s kinsman, “To the Right Worshipful George Sacheverell, Esq., High Sheriff of the County of Derby, and to the Honourable Gentlemen of the Grand Jury.” It is observable that while the sermon on ‘The Perils of False Brethren’ was “read” in the House and printed in the journals along with its dedication,—of this other sermon on ‘The Communication of Sin,’ the dedication only was read and printed, that being accounted all-sufficient.

In fact, one might read the sermon to its end without seeing in it any reference to politics or polemics. It sounds like a denunciation of the vices and profligacy so conspicuous at the time, and of those who give encouragement to vice and profligacy by seductive literature. If persons were pointed to as possibly assailed by it, they would be such as Wharton, Bolingbroke, Durfey, and Mrs Manley. But if people were led astray in that direction, the dedication showed them where to find the real sinners. “Now when the principles and interests of our Church and Constitution are so shamefully betrayed and run down, it can be no little comfort to all those who wish their welfare and security, to see that, notwithstanding the secret malice and open violence they are persecuted with, there are still to be found

such worthy patrons of both who dare own and defend them, as well against the rude and presumptuous insult of the one side, as the base undermining treachery of the other; and who scorn to sit silently by and partake in the sins of these associated malignants."

Standing alone, the sermon was like a threatening and scolding letter with no address upon it. The dedication supplied the defect, pointing to the Dissenters as the sinners, and the Whigs and Low Churchmen who gave the Dissenters countenance and support, as the communicators and propagators of sin. In the following passages there is just enough in the indication that the author addresses himself to clergymen, and in the use of the word "schismatical," to harmonise the dedication with the substance of the sermon :—

"When the directors of men's consciences turn impostors, and betray and mislead them into those sins they should teach them to avoid, such pernicious infidelity to their sacred office ought justly to entitle them to all those repeated woes denounced by God and Christ against those false prophets and pharisaical doctors who perverted the divine law, and made even the blessed Word of God the sad instrument of damnation to mankind."

"In commending, approving, or defending any crime, we appropriate it to ourselves, transgress at second hand, become the guardians of iniquity, and commence the devil's champions to fight his battles and maintain his cause, and represent him in the most detestable quality of his nature—a delight in the dishonour of God and the misery and ruin of mankind.

In giving offence by our actions we use our liberty for a cloak of maliciousness, and make what would be otherwise innocent culpable. By a scandalous life and example we derive a reproach upon our holy profession, and must answer for those who are seduced by its baleful and infectious influence. By instilling or propagating heterodox, schismatical, atheistical, factious, or immoral principles into others, we turn mere antichrists and emissaries of hell, and must answer for all the souls that perish through our treachery, guilt, or delusion."¹

On the 13th of December 1709, the Commons passed the first resolution on the great Sacheverell case, on the motion of John Dolben, member for Liskard, seconded by Spencer Cowper, member for Bodmin in Cornwall. Two printed papers were laid before the House: the one, the sermon preached at St Paul's; the other, the dedication of a sermon preached at the Assizes held at Derby "on the 15th of August 1709." The object of bringing up the dedication appears to have been, like the previous convictions cited against an ordinary criminal, to show that the great sermon was no single unpremeditated outburst, but that its author, in a distant province, when he addressed his own relations and personal friends, scattered around him the same perilous matter.

The author and the printer of the two pieces were brought before the House, where the author was selected as the guilty party. It was resolved that he should be impeached before the House of Lords of high crimes and misdemeanours. A committee was appointed to prepare articles of impeachment. The

¹ The Communication of Sin, &c., p. 14.

duty of this committee—the policy of its appointment—was to draw off the tenor of the debate from the special matter of the doctor's declamations to the great question of the stability of the Revolution Settlement and the Hanover succession. Accordingly, while the articles set forth how the culprit had falsely charged the rulers of the land with treachery towards the institutions of the country, had falsely stated that the Church was in danger, and had malignantly assailed the laws tolerating Dissent and other established elements in the constitution, the real issues on which it was desired that there should be a great parliamentary debate were thus condensed in the preamble to the articles:—

“Whereas his late Majesty King William the Third, then Prince of Orange, did with an armed force undertake a glorious enterprise for delivering this kingdom from Popery and arbitrary power; and divers subjects of this realm, well affected to their country, joined with and assisted his Majesty in the said enterprise; and it having pleased Almighty God to crown the same with success, the late happy Revolution did take effect and was established: and whereas the said glorious enterprise was approved by several Acts of Parliament, and among others by an Act, &c.: and whereas the happy and blessed consequences of the said Revolution are the enjoyment of the light of God's true religion established among us, and of the laws and liberties of the kingdom; the uniting her Majesty's Protestant subjects in interest and affection by legal indulgence or toleration granted to Dissenters; the preservation of her Majesty's sacred person; the many and continual benefits arising from her Majesty's

wise and glorious administration; and the prospect of happiness for future ages by the settlement of the succession of the crown in the Protestant line, and the union of the two kingdoms.”

On this text, as on the theses tacked to university gates, there was to be a mighty debate, that it might be seen whether any member of the two Houses would stand up in his place and venture to attack the principles that carried the Revolution, or venture a hint against that portion of the great settlement that had yet to be fulfilled in the peaceable accession of the house of Hanover. When it was asked, Why, in such a case, seek the cumbrous, costly, protracted method of impeachment? If the man had committed an offence against the law such as treason or sedition, the courts of law were available—why not bring him to trial in the ordinary manner? If there was no answer to such a proposal, there was yet a strong reason against it. The punishment of Sacheverell was not so earnestly desired as the great debate. The impeachment would not only call on all conspicuous members of the Commons to declare themselves, but it would carry the debate into the House of Lords. In all the pomp and solemnity of the most august of tribunals would the free principles of the British Constitution be discussed before all Europe.

The ardent friends of the Hanover succession would thus know who were for and who against them. Under-currents of political feeling had recently alarmed them, and they desired to know the worst.

The peculiar position of the Crown left opportunity for much loyalty, and for many expressions of a well-

affected tenor, which yet could not be mustered in support of that completed settlement of which Queen Anne was fulfilling a part. Her descent as a daughter of King James was remembered by those who would have nothing to say for her parliamentary title. There were those who could not see much difference between the title of a son and of a daughter, who could yet see how vast lay the gap between the royal house of Stewart and a German house, owning some dubious title inferior to sovereignty, whose connection with the house of Stewart was only to be realised by a troublesome effort of memory. Middle-aged people remembered the time when the two sisters, Mary and Anne, were the heirs of the throne, and it was a thing familiar to their expectations, to see it occupied by the one and then by the other. Even in the short interval between them the occupier was a nephew of King Charles and King James. On people who inclined to the hereditary principle, without driving it to its absolute conclusions as an exact science, such considerations had a strong hold.

It was suggested by some confident spirits that the queen's title should be tested by affording to her the opportunity of proving whether she inherited the one miraculous gift peculiar to the legitimate occupant of the English throne—it had been bestowed on the holy saint Edward the Confessor, and was intrusted to his successors as a testimony that God sanctioned the right of inheritance claimed by them. Would her Majesty condescend to touch for the king's evil? It was done accordingly. From a crowd of applicants for the distinction of being handled by royalty, a selection by skilled physicians

was made of those hapless beings who, beyond the aid of physical remedies, were the proper objects of the miraculous intervention of the sovereign.¹ Of these Samuel Johnson was one, and he remembered the ceremony. The touch was found to be successful. The announcement that it was so gladdened many a loyal subject and ardent Churchman, rejoicing with trembling in mysterious awe at the wonderful ways of Providence. This was no technical confirmation of a parliamentary title—it was God's doing, and wonderful in their sight.

The uneasy suspicions excited by such significant trifles were enhanced by the position at this period of the queen's nearest relation. He had now come to man's estate. If he had heretofore been seduced into the fallacies of Popery, he could now think and act for himself, and it was not unreasonable to suppose that he might become a sound Protestant and a standing rebuke to the restless spirits that had disturbed the serene rule of hereditary succession. In those oppressed by such lingering doubts, uneasy associations were suggested by an impeachment—especially the impeachment of a clergyman. It was too like the opening of the great troubles of the last century, which, beginning with hesitation in the imperfect attack on Bishop Wren, fell with accumulating power on Strafford and Laud, and at last in the fierce wantonness of its career destroyed king and constitution.

¹ "*Bath, October 6th.*—A great number of persons coming to this place to be touched by the Queen's Majesty for the evil, her Majesty commanded Dr Thomas Gardiner, her chief surgeon, to examine them all particularly, which accordingly was done by him, of whom but thirty appeared to have the evil, which he certified by tickets as is usual, and these thirty were all touched that day."—Oldmixon, 302.

But the spirit of the champions of the Revolution was of a different order. None desired to see again the anarchy that called in the potent spirit of Cromwell to enact the policeman. There was a great fund of steady loyalty alive in the country—but throughout the overruling majority it was a loyalty to the Protestant line and could tolerate no other.

The discussion taking far wider scope than the statutes and precedents that make a boundary round litigations in the courts of law, wandered forth into the mighty wilderness of polemical rhetoric and disputation. Sometimes the impeachers, sometimes the defenders, sometimes both, appeared to be lost in distant thickets or labyrinths, when the marvellous lucidity ever directing the tactics of Parliament brought the parties to distinct issues—where propositions asserted on the one hand, were as distinctly denied on the other. This strictness of assertion and denial—of the application of the contradictory formula, as it has been termed by logicians—not only ruled the pleadings, but was brought with wonderful success to the ranging and estimating of the authorities. As an instance, we find Sacheverell's counsel triumphant in quotation from Hooker's 'Ecclesiastical Polity.' Clerk reads:—

"That subjection which we owe to lawful powers, doth not only import that we should be under them by order of our State, but that we show all submission towards them both by honour and obedience. He that resisteth them resisteth God. And resisted they be, if either the authority itself which they exercise be denied—as by Anabaptists all secular jurisdictions—or if resistance be made, but only so

far forth as doth touch their persons, which are invested with power."

A proposal on the other side to quote also from Hooker, was met by the plea, "We submit to your lordships whether it is proper to break into our defence? or whether the gentlemen of the House of Commons will read what they think proper when they come to reply?" But for the Commons it was successfully pleaded, that as the defence made a witness of Hooker, that witness might be cross-questioned from his own printed words. Accordingly passages were cited, of which this is a specimen:—

"If God in His revealed Word hath appointed such power to be, although Himself extraordinarily bestow it not, but leave the appointment of persons to men; yet albeit God do neither appoint nor assign the person—nevertheless when men have assigned and established both, who doth doubt but that sundry duties and affairs depending thereupon, are prescribed by the Word of God, and consequently, by that very right to be exerted? For example' sake, the power which Roman emperors had over foreign provinces, was not a thing which the law of God did ever institute, neither was Tiberius Cæsar by especial commission from heaven therewith invested; and yet payment of tribute unto Cæsar, being now made emperor, is the plain law of Jesus—unto kings by human right, honour by very divine right is due. Man's ordinances are many times proposed as grounds in the statutes of God. And therefore, of what kind soever the means be whereby governors are lawfully advanced to their states, as we by the laws of God stand bound meekly to ac-

knowledge them as God's lieutenants, and do profess their power His; so by the same law they are both authorised and required to use that power, as far as it may be in any state available, to His honour."

"That which we speak of kings shall be in respect of the state and according to the nature of this kingdom, where the people are in no subjection, but such as willingly themselves have condescended unto for their own most behoof and security. In kingdoms, therefore, of this quality, the highest governor hath indeed universal dominion, but with dependency over that whole entire body over the several parts whereof he hath dominion; so that it standeth for an axiom in that case—the king is '*major singulis, universis minor*.' The king's dependency we do not construe as some have done; we are of opinion that no man's birth can make him a king; but every particular person advanced to such authority hath, at his entrance into his reign, the same bestowed on him as an estate, on condition, by the voluntary deed of the people, with whom it doth lie to put by any one, and to prefer some other before him better liked of or judged fitter for the place; and that the party so rejected hath no injury done to him,—no, although the same be done in a place where the crown doth go *δια γένους*—by succession, and to a person which is capital, and hath apparently, if blood be respect, the nearest right. They plainly affirm, in all well-appointed kingdoms, the custom evermore hath been and is, that children succeed not to their parents, until the people, after a sort, have created them anew; neither that they grow to their fathers as natural and proper heirs, but are then to

be reckoned for kings, when at the hands of such as represent the king's majesty they have, by sceptre and a diadem, received, as it were, the investiture of a kingly power. Their very words are, 'that where such power is settled into a family or kindred, the stock itself is thereby chosen, but not the twig that springeth of it. The next of the stock unto him that reigneth are not through nearness of blood made kings; but rather set forth to stand for the kingdom. Where regal dominion is hereditary, it is, notwithstanding (if we look to the persons who have it), altogether elective.' To this purpose are selected heaps of scriptures concerning the solemn coronation or inauguration of Saul, David, of Solomon, and others, by the nobles, ancients, and people of the commonwealth of Israel."¹

To the parliamentary champions of the Hanover succession it was worth all that they suffered from the harassing process and the manifestations of the London mob, that they should proclaim such doctrines trumpet-tongued to the world, and that they should be uttered by one claimed as a high authority, in justification of their advocacy. These and some other opinions by men whose eminence is the only authority in support of them, are followed by "the judgment and decree of the University of Oxford, passed in their convocation, July 31, 1683, against certain pernicious books and damnable doctrines destructive to the sacred persons of princes, their state and government, and of all human society," solemnly presented by the university to King Charles II. It was offered in Sacheverell's defence because

¹ St. Tr., xv. 249-251.

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he had been educated at that university. But whatever testimony it might afford to his docility as a pupil, and whatever apology it might offer for the doctrines promulgated by him, it may be questioned if it furthered the cause of his friends, since, in promulgating the condemnation, they had also to promulgate, in the very words in which they were uttered, the opinions condemned, with the names of those who had uttered them. It thus befell, that the public were desired not only to dissent from but repudiate with horror the well-weighed opinions of men so illustrious as Buchanan, Milton, John Knox, Miller, Hobbes, Baxter, Goodwin, and Goodman.

But another selection of choice passages from literature of a more recent date, was felt to be still more offensive. One of the charges against the age—one of the sources of the Church's danger—was the quantity of scurrilous, impious, and blasphemous literature read by the people. Flowers of rhetoric from this garden were selected and read in Westminster Hall. All the world knows that what evil there may be in such things is by their utterance and circulation, and once they have passed into the intellect there is no remedy: it is futile to say that they are published with a good motive,—to let people see their danger—to excite abhorrence and condemnation. The managers suggested a doubt “whether such impious and blasphemous passages as the council were ashamed to repeat, shall be republished in so solemn a manner by reading them in evidence before your lordships.” The managers did not press this as part of their case; and the counsel for the accused said, “We must own there are a mul-

titude of sentences never to be repeated if it were not necessary for our defence.” But it was necessary.¹ The prisoner's passages were immediately devoured by the large community who took interest in the impeachment. We shall see how the Commons afterwards dealt with this affair.

The accused pleaded, with the confidence of a man who knows that he has ample authority for what he has done, the precedent of the Homilies. He had followed the doctrine there laid down with strict precision. Now the Homilies were adopted in the Thirty-nine Articles as containing “goodly and wholesome doctrine,” and were ordered “to be read in churches by the ministers, diligently and distinctly;” and the Articles where these injunctions were to be found, were part of the law of the land. But this seemed to have no other influence than to nurse a spirit to repudiate anything in the Homilies, or elsewhere, assuming on the part of the Church doctrines inimical to the Revolution Settlement.

The arguments on this point were thus condensed in a pamphlet of the period:—

“We must, then, consider the Homilies as so many sermons wrote by the clergy in Edward VI.'s time, when few of them were of tolerable learning or abilities. Does it appear that they had our constitution under consideration? Does it not appear that they understood nothing of it? The resistance that was made against Richard III. was then fresh in their memory—who, bad as he was, even such an anointed was not to be touched by their rules, if stretched to an unlimited sense. . . . A convo-

¹ St. Tr., xv. 332.

cation of the clergy confirm a doctrine utterly inconsistent with the constitution of the State, and therefore 'tis an high presumption in the laity against the authority of the Church to refuse to be bound down by it. Some modern doctors misapply and misconstrue those doctrines, and then it is irreligion or atheism to examine or inquire into their mistakes. May we not be permitted to oppose the sentiments and practices of those convocations against the opinions and comments of the expositors of their doctrine?"¹ Then follow references to occasions when the convocation scarcely observed the passive submission inculcated in the Homilies.

That there had been no resistance at the Revolution—that King William and his supporters denounced the doctrine of resistance—involved a principle that might reconcile people of high prerogative tendencies to the Revolution. But it also involved a concession by the champions of the Revolution Settlement of such a nature, that, lying in ambush as an amiable compromise, it might, under certain possible political conditions, come forth for their destruction. The situation stood thus. The throne was vacant—the king was gone. His daughter, who was believed to be his heir, took the abdicated royal functions in hand, assisted by her husband, the king's nephew. The conditions were much the same when Queen Anne began to govern. Her father was dead, and her brother was absent. The accidental deficiencies, arising through the absence of the sovereign by divine right, were remedied by the slightest possible departure

¹ 'The Managers *pro* and *con*; or, an Account of what is said at Child's and Tom's Coffee-houses, for and against Dr Sacheverell,' 10, 11.

from that ruling principle, and when the true heir returned to his own, it could scarcely be said that history had been distorted by a deviation from the divine law of succession.

The ruling majority in Parliament saw the significance of this, and were determined to drive the principle of resistance to its clearest and hardest conclusions. In the multitudinous documents and speeches loading the case with countless digressional assertions, arguments, and declamations, the determination to bring out this predominant assertion carries through the whole a logical sequence, which finally asserts its dominion over all the collateral questions connected with the great prosecution.

Sir Joseph Jekyll, in the reply for the managers, reiterated the principal charge in its condensed form. "The doctor is charged with suggesting and maintaining,—first, that the necessary means used to bring about the Revolution were odious and unjustifiable; second, that his late Majesty in his declaration disclaimed the least imputation of resistance; and, thirdly, that to impute resistance to the Revolution is to cast black and odious colours on his late Majesty and the Revolution." This summary, though it contains expressions used by Sacheverell, is not to be counted as his own statement. It is the inference drawn from many things said by him. Here follows the justification of the inference:—

"My lords—the first proof of this branch was the general assertion of the utter illegality of resistance, upon any pretence whatsoever. It hath been said in answer to this, that this is spoken of the supreme

power, which is the legislative power, and then there ought to be no exception whatsoever.

"But, my lords, that the doctor did not mean the supreme legislative power, but the supreme executive power, is evident—

"First, from the account he presently gives of those who oppose his principle of non-resistance, which runs all along upon the person of the prince only, as cancelling their allegiance, calling their sovereign to account, dethroning and murdering him ;

"Secondly and principally, from his bringing in the case of the Revolution, as urged by those who are adversaries to his principle of non-resistance. Now the Revolution is not—cannot be—urged as an instance of the lawfulness of anything but of resisting the supreme executive power acting in opposition to the laws."¹

Had the accused spoken against resistance to the supreme Legislature, consisting of King, Lords, and Commons, he would not have been disturbed. He does not say as much in words, but there is abundant circumstantial evidence that he finds resistance criminal only when it is against the sovereign as the supreme executive ; and this was treason to the Revolution Settlement, which involved resistance to the sovereign because he had violated the constitution and the laws.

These passages touch a quality that renders the Sacheverell impeachment exceptional—and, it has been often thought, revoltingly exceptional—in the records of criminal prosecutions. The prosecutors bear hard on the accused. The Crown lawyer, or

¹ St. Tr., xv. 382, 383.

other professional man who becomes a public servant, in undertaking a criminal prosecution, rarely subjects the conduct of the accused to the very logical test that, in the hands of an able rhetorician, may be pointed at guilt. It is becoming in such a person to let the case against the prisoner at the bar bear its own weight, and do no more than put the facts in a clear consecutive shape. It is the sole privilege of counsel for the defence to be in earnest—to throw his whole powers, professional and rhetorical, into the one object of saving his client.

For dealing with Sacheverell after another fashion there was a solid reason, whether or not it be accepted as a justification. In the first place, there was no intention to subject him to any very afflictive punishment—indeed both friends and opponents knew that he mightily enjoyed his conspicuous position. A political victory, gained through the skilful and judicious use of the opportunity he had given, was all that his bitterest enemies desired. He was pretty near the truth when he said of himself,—“It has been owned by some of the managers for the honourable House of Commons, that though I am the person impeached, yet my condemnation is not the thing principally aimed at. I am, it seems, an insignificant tool of a party, not worth regarding ; the avowed design of my impeachment is, by the means of it to procure an eternal and indelible brand of infamy to be fixed in a parliamentary way on all those who maintain the doctrine of non-resistance, and have the clergy directed what doctrines they are to preach and what not. And therefore, as insignificant as I am in myself, yet the consequences of my trial—if rightly

represented to your lordships by some of these gentlemen—are of the highest moment and importance.”¹

It was believed that men were concealing their thoughts—that possibly the nation, contented and almost unanimous in devotion to the Hanover succession, might be reposing on the crust of a volcano. A rash man uttering the thoughts that others suppressed was a coveted acquisition. Had any person in high position spoken out more rashly and foolishly than Sacheverell spoke from the pulpit of St Paul’s, he would have been a still more valuable acquisition. But the ruling party must be content to make the most of what they had got. To this end the expressions of a rash enthusiast are pushed to their utmost and most offensive conclusions, that an abundance of skill, legal and rhetorical, can reach. If he has not said quite enough for the purpose of his accusers, it is evident that he is evasive, and his suppressed conclusions must be extracted by skilful inference, and exposed to fitting scorn. Those who listened to the sermons of Sacheverell as they were preached, or read them without a comment, must have felt astonishment at their own obtuseness, when they beheld the mighty mass of treason to the British constitution that was gradually accumulating in Westminster Hall.

If the accomplishment of some object nobler than the humiliation and punishment of the man at the bar was necessary to vindicate the tone of some of the passages already cited, it will probably be considered that some apology is still more rigidly demanded for such pleadings as the following: “It was said

¹ St. Tr., xv. 364.

by one of the doctor’s counsel that the non-resistance the doctor preaches up, is the utter illegality of resisting the supreme power in all things lawful—for these words, ‘in all things lawful,’ make part of that sentence. My lords, I admit they do; but those words are relative to his assertion concerning active obedience and not passive, as will appear by reading the whole sentence. ‘The grand security of our Government, and the very pillar upon which it stands, is founded upon the steady belief of the subject’s obligation to an absolute and unconditional obedience to the supreme power in all things lawful, and the utter illegality of resistance on any pretence whatsoever.’ The one dividing member of the sentence is the obligation to obedience in all things lawful—the other, the illegality of resistance on any pretence whatsoever; the one is restrained, the other unlimited. It must be taken, therefore—notwithstanding these objections—that the doctor asserts the utter illegality of resistance to the supreme executive power, though acting not in conformity but in contradiction to the laws.”¹

It must not be supposed that the bulk of the oratory delivered on the great occasion was such as this. The preliminary feats of technical and logical fencing were the clearing off, as it were, of the impediments that choked the way towards the arena, where there was room for the great constitutional battle which the predominant party were determined to fight. Once that arena is reached, we bid adieu to technical pedantry and harassing criticisms for the extraction of guilty meanings. Whoever has patience

¹ St. Tr., xv. 383.

to read the more than five hundred of the substantial columns of the 'State Trials,' which contain in a condensed shape "The Trial of Henry Sacheverell, D.D., upon an Impeachment before the House of Lords, for High Crimes and Misdemeanours," will, if he be a student of constitutional history, have reaped for himself a rich harvest of constitutional and historical lore. It is such a contribution to this great school of knowledge as no one man, however gifted, could have contributed. It is of an infinite variety. The great orator and statesman gives forth his announcement and vindication of the ancient liberties of England in brilliant and impassioned oratory, and the great sage of precedent extracts pregnant matter out of the depths of his learning and wisdom. Various as were the qualities of the speakers, so also were the forms of homage paid by nearly all of them to the British constitution—to its deep-rooted strength, its freedom without anarchy, its pliability for all the justifiable and beneficent purposes, as well of a paternal despotism as of a democratic republic. All passed before an audience far too fastidious to tolerate either turgid declamation or solemn pottering in trifles. Though thus made up of many and various parts, there is a completeness of harmony throughout that disqualifies our isolated passages from duly expressing the spirit of the whole.

The issues brought up before that august tribunal for ratification or repudiation, were the Revolution, the Toleration Act, the Settlement of the Crown, the Union with Scotland, and the triumphant war with France. Among those who were to revise these momentous acts after the experience of twenty

years, were many who had taken a practical and emphatic share in the events themselves—men who could say these things were their doing, and who were demanding of the country to pronounce whether what had been done was well done. Though made up of many and diverse parts, the record of the impeachment has a grand harmony throughout that would disqualify incidental passages, in any of its parts, from affording a fair idea of the influence of the whole. It may, however, in some measure reconcile some passages already cited to the general tone of the discussion, to note that the expounder of the conclusions, drawn with so much subtle pedantry, about resistance and non-resistance, pursues his pleading in the more genial and expansive tenor of the passage following :—

"What a representative is here of that glorious transaction, the late happy Revolution! The part the subject has in it is represented as contradicting the express command of God in Scripture, and destructive of all governments. His late Majesty is represented as encouraging this pernicious wickedness, and disowning it at the same time. Give me leave, therefore, on behalf of the nation and the memory of his late Majesty, its deliverer, to state this affair shortly, and in another light, to your lordships.

"The subjects resisted. The late king joined his army with the arms of resistance; and if the nation at that time had not had recourse to that remedy, how abject and how miserable must they have been? If we look into the histories of other countries, have not the best and happiest nations been most tenacious

of their liberties? And while they have continued so, and withstood absolute power, they have been prosperous at home and considerable abroad. But when they have fallen from this zeal and industry which is the foundation of their prosperity at home, and magnanimity which makes them considerable abroad has deserted them, they have sunk into sloth and effeminacy. Can any one, therefore, with any colour say that resistance in cases of extreme necessity has worse consequences than unlimited subjection?

"Let us now turn our eyes a little on the part our late king had taken in the Revolution. Did he not undertake a most hazardous enterprise to procure us happiness at home, and to give us that weight abroad which this nation had long enjoyed, but at that time was deprived of? And with what care and anxiety, even to the last moment of his life, did he labour to secure these blessings to us?

"Let us look beyond his time—and since—for the sense of the nation upon this point. What satisfaction did the nation take in the assistance his renowned predecessor, Queen Elizabeth, gave to the oppressed Provinces, our then good neighbours and our now potent allies? How zealously did the nation promote the assistance King James I. gave to the injured Prince Palatine against the emperor and his superior lord? And what resolution and tender concern for the persecuted Rochellers did King Charles I. show and express? And has not her Majesty assisted the Spaniards against a prince [un-] acknowledged by them and seated on the throne? Nor did her goodness, which is as extensive as her power, overlook the poor estate of the people in the

Cevennes, or neglect to give them all possible assistance against their king, exercising a cruel dominion over them. These, and many other instances which might be fetched from other countries, are so many authorities against the doctrine of unlimited non-resistance."¹

The debates were dragging themselves towards the end of the third month, when new life was given to them by events close at hand—events that it is convenient to reserve for separate notice. There had been an exposition of the miseries caused abroad by the Revocation of the Edict of Nantes; and curious criticism on the question how far Archbishop Grindal had favoured the Dissenters or schismatic, and whether his humiliation was for so doing, and if so, whether it was deserved? From such distant subtleties, a loud voice in the streets of London recalled the great question—Did the man at the bar charge the Government of the day with a sinful toleration of Dissenters and schismatics, and maintain that in such toleration they acted the part of false brethren or traitors, and should be smitten accordingly? It was denied that the denounced sermons admitted of such an interpretation. But, behold! while the members of that august tribunal are yet dallying with the question, the mob of London has reached the right conclusion, and expressed it in emphatic action. The point was thus put by Sergeant Parker:—

"Let the doctor describe false brethren in general as betrayers and destroyers of the Church, and the proper objects of the rage and fury of the people, and then expose as false brethren those in the administra-

¹ St. Tr., xv. 388, 389.

tion—persons of characters and stations, from the chief to the least—the people will quickly make the application.

“If any one should inflame the mob to such a degree of mistaken zeal as to forget the spirit of the Gospel, and believe it their duty to serve God by breaking the public peace, and to support his Church by pulling down all meeting-houses and rifling the houses of all Dissenters, he needs afterwards only tell them, ‘this is a meeting-house—here liveth a Dissenter;’ they are not so dull as to fail of making the conclusion,—therefore this house is to be pulled down—therefore this man is to be plundered,—and of putting it immediately in execution where they dare.”

“My lords, the burning a meeting-house, the burning all the meeting-houses, the laying this metropolis in ashes by the enemies of our constitution, is nothing to the inflaming the nation, and rendering the queen and the administration odious to the people.

“Shall it then be an excuse for the doctor here, when he has laid down the premises, to say that he has not in words expressed the conclusion?

“Shall the meanest of the people clearly and rightly collect this as Dr Sacheverell’s doctrine? and shall not we in accusing, and your lordships in judging, be allowed to collect it when we are endeavouring to preserve the queen and constitution and all that is dear to us?”¹

“It was very plain that the speech was made for him by others, for the style was more correct and far

¹ St. Tr., xv. 450, 451.

different from his own,” is the brief assurance by Burnet, as given in the ordinary editions of his ‘History of his Own Time.’ In the Oxford edition there is this note: “It is commonly attributed to Bishop Atterbury, and is finely written. And although the eminent Tory leader, Mr Bromley, used to say that he had seen a copy of this speech in Sacheverell’s handwriting, and corrected by him, yet this account is by no means satisfactory, or proves that Sacheverell was its real author.”¹ But why should the presumption in such cases be reversed, and no proof be required to the assertion that he was not the author of his own paper?

Tindal, in a rather slovenly way, repeats, without quoting, the words taken above from the ordinary editions of Burnet, and adds,—“It was thought to be the joint work of Dr Atterbury, Dr Smalridge, and Dr Friend, supervised and corrected by Sir Simon Harcourt and Mr Phipps.”²

The following tirade, by Arthur Mainwaring, takes for granted that the speech was none of Sacheverell’s. It is a fair specimen, too, of a mental epidemic of the period, having, in medical phraseology, its diagnosis in the impossibility of any one, who spoke of Sacheverell, keeping his temper, unless when under the powerful pressure of parliamentary etiquette; and even that, as we have seen, did not always suffice for restraint.

“What could enter the heads of those penmen of the speech, to make the poor wretch swear that he never suggested that the Church was in danger? With what indignation must every one hear such

¹ Vol. v. p. 444.

² Tindal, iv. 155.

solemn appeals made to heaven, for the truth of a fact which the whole assembly knew to be directly contrary? What excuse shall we find out for this most hardened sinner? Will it acquit him to say that he did not compose his speech, and only performed his part like an actor? Indeed it may be said to resemble a play in one respect, because it was a farce very well wrought, and had a wonderful effect upon the weak part of his audience."

"Good God! and is this the man for whom the people have made an insurrection? Is this the man for whom their zeal has flamed out in all manner of appearance? Is this the man whose effigies are sold about curiously done in mezzotinto? whose health is drank before the queen's, and next in the same glass with that of the Church? What can he have to do with any Church who is a shame to Christianity itself? And is this the man for whom tears were shed, when, by his insolent behaviour, he had made that comparison ridiculous which would otherwise have been due to one in his circumstances? How offensive was his assurance, how nauseous his presumption, and how atheistical was his purpose, in wickedly perverting divers texts of Scripture, instead of preaching the truths!"¹

Whatever suspicion there might have been, about the entire loyalty to the queen and the Hanover succession of Sacheverell and his friends, it found no voice. It was among things not to get utterance,—as, for instance, when in a highway robbery some one thought he had traced a known face behind the pistol at the carriage-window, masked as that face was.

¹ The Remains of Arthur Mainwaring, p. 139.

Such things were too terrible for gossip—the utmost acknowledgment of suspicion would be the shrug of the shoulders or the shake of the head. It was somewhat the same with any suspicion that the Tory and High Churchman was also a Jacobite; it meant the gallows to the humble man, the Tower and the block to the man of rank. Accordingly, throughout the long debate, the references to the Pretender were rare, and when they occurred they were fugitive and inferential. The following are perhaps as emphatic as any: "Hath not this principle of unlimited non-resistance been revived by the professed and undisguised friends of the Pretender? Hath it not been prosecuted with an unusual warmth since his attempt upon her Majesty's crown? Can the Pretender have any hopes but from the keeping alive such notions? or can the queen's title receive any advantage from them? Or can it be reasonable to preach this doctrine in the reign of the best of princes, which can be of no use to any but the worst?"¹

Again—

"Has he made that use of passive obedience, as to press submission to the queen from it? Has he not let the Nonjurors escape, though his text led him to speak against them, and advanced a wrong notion of false brotherhood, merely to fall foul upon those that justify the resistance in the Revolution, and cut off thereby every colour of title to the Pretender?"²

If the question of the Pretender's claim were to be timorously handled, and not to be rashly disturbed

¹ Sir Joseph Jekyll, St. Tr., xv. 96, 97.

² Mr Sergeant Parker, St. Tr., xv. 461.

in its proper category of a negative, there was on the opposite side a positive that was to be affirmed, and that in the most emphatic manner, whenever an occasion offered—the Protestant succession in the house of Hanover. The record of the trial leads to the belief that Sacheverell's friends recommended absolute and conspicuous compliance on this point. At all events, whether by the advice of his friends or the dictates of his own prudence, he gave his testimony on the question with a full explicitness that sufficed—so far as an afterthought could—to sweep away all suspicion of equivocation or hesitation. He was bound, no doubt, in the ordinary way of all Established clergymen, to the Hanover succession. He was no Nonjuror, but had taken the oaths both affirmative and negative. But there was an old traditional lubricity in the interpretation of such oaths, tolerating a wide interpretation of their tenor. The obligations to an existing power might cease when the power itself ceased to exist, and the jurant might in his secret heart even desire that it should cease to exist, and that another power should supersede it.

The apologetic tone of Sacheverell's eloquent defender, Sir Simon Harcourt, seemed rather to foster than extinguish such dubieties. "It is a hard fate attends this unhappy gentleman, if he must inevitably be under the imputation of being thought an enemy to the Revolution, and to our present happy establishment on that foundation. What evidence will your lordships expect he should produce to clear himself? He has shown his submission to the Revolution from the first moment his years made him capable of doing

so. He has given all the public testimonies to his fidelity and affection to the last reign, as well as the present, which the Government has at any time required from the most suspected persons. He has taken the oath of allegiance, signed the association, and took the abjuration. It is a miserable case any man is in, if, after he has taken the abjuration, the utmost which is required, he shall still be told he hath indeed abjured the Pretender, but hath not yet forgot him."¹

One can believe the speaker of this concurring in the view that it would be well if a person elevated upon so lofty a pinnacle, when he stood obscured by a certain atmosphere of suspicion, should lift up a testimony to his loyalty; and that, a testimony having no uncertain sound. It was given more than once in the course of the trial, but we may take it as finally revised and adjusted from the paper read by Sacheverell, after the pleadings for the prosecution and defence, on the motion by his counsel. "We have only one petition to make, that your lordships would be pleased to hear the doctor speak for himself. There are some things more proper for him to give an account of than for his counsel." This paper contains the passage following:—

"As to the Protestant succession by law established, though the doctrine which I preached tends to the security of it—as I heartily desire everything by me spoken should tend—yet having no occasion in either of my sermons to take notice of it, I do nowhere in those sermons mention it, nor say anything that can be interpreted to have any view towards it. Therefore, though I cannot with my

¹ St. Tr., xv. 198.

best application comprehend how it comes to be said in the preamble to my impeachment that I had designed to undermine and subvert it, yet I shall gladly take this opportunity of declaring myself before your lordships on that subject.

"It is my sincere and hearty prayer that God would prolong the life of her most sacred Majesty, whose exemplary goodness and piety give us the best hopes that we have of averting that vengeance which is due to the wickedness of the age we live in; that He would bless her councils at home and her arms abroad, and make her reign exceed that of her renowned predecessor Queen Elizabeth, in length as well as glory. But when the inheretrix of the blessed martyrs' crown and piety—when she, the desire of our eyes and the breath of our nostrils—shall, full of years and honour, be gathered to her fathers, and exchange a temporal for an immortal crown (since we are deprived of this prince, her royal offspring, whose loss no true lover of his country and of the royal family can reflect upon without a bleeding heart, and whom God in His anger took from us because we were unworthy of so inestimable a blessing), I earnestly beseech God, in defect of future issue from her Majesty, to perpetuate the succession to the crown as it is established in the illustrious house of Hanover, which I look upon as, next to His providence, the best guard we have against Popery and arbitrary power,—the best security of our Church, and of the constitution of our government, which is the glory and happiness of our own nation, and the envy of all others."¹

¹ St. Tr., xv. 375.

This long climax, even in the opinion of those who would refuse it the praise due to good taste or high art, will be admitted to show consummate skill. The speaker has nothing to retract, conceal, or extenuate. There is no demand on him to repeat his loyalty to the Hanover succession, but it is a small matter to gratify his accusers with an assurance if they want it. The long protracted exordium neutralises the impression that there is an abrupt unwilling compliance with stern pressure. He does not conceal that there had been a future in view such as he would have loved better than the Hanover succession—but now that being irretrievably gone, he accepted the Hanover succession as the only possible alternative.

But casual and spontaneous as this admission appeared to be, it was a great political victory; and though somehow a succession of curious contingencies rendered it hardly a triumph to one party, it was a heavy blow to another. Whatever Sacheverell was by rank, talent, or character, fate had placed him in such a position that the tenor of his trial and his own conduct on the occasion, could influence momentous results. His declaration was an announcement that, among the Tories and High Churchmen, if there were any who had adopted, there were none who dared to avow, Jacobitism. It was not merely that it would be unsafe for them to show a lingering sympathy with the cause of the Stewarts, but that all possibility of the suspicion of such a sympathy must be met by a positive abjuration of it. It damaged, and threatened to annihilate, as we shall see, the party by which the impeachment was promoted and pursued with bitterness to the end. But it satisfied those who

could read the signs of the times, that there was no place in the country for a formidable restoration party.

This testimony had an ephemeral but alarming influence, such as those who exacted it could scarcely have anticipated. It served their victim in achieving the loud applause and *aves* vehement which were the delight of his soul, and without it we might not have had the renowned High Church riots. It cleansed his applauders as well as himself from that taint of Jacobitism, which, attaching itself to the testimony in its first shape, threatened to cling to him. England was full of zealous Churchmen, who were as zealous for the succession in the Protestant line as for the Church itself. They knew, indeed, that in the parliamentary settlement the safety of their beloved Establishment had its only security. It was a mighty satisfaction that respectable High Churchism could stand forth and do its duty in broad daylight, without any depressing terrors lest it might find its disreputable and dangerous casual acquaintance shuffling to its side.

At a calm distance one can see this in the general development of the political forces of the period. We may question if the hero of the day himself saw it. The egotism of his own absorbing vanity supplied him with an efficient force for all effects, however great. And so the exulting and abounding current of his self-applause was sufficient to bear itself through the whole of his wild career, receiving into its bosom every tributary stream of laudation, however paltry or polluted.

At the end of the pleadings there was an oppor-

tunity for discussion among the lords. The only lay lord who made a speech that can now be read in full, was Lord Haversham. He was one of those of whom it seems a law of nature that each considerable assembly shall possess one at least. He was sure to take an original view of the question, and a course in which he would be permitted to walk alone. Though he was one of the Convention Parliament, he could not adopt the view now taken by his comrades. A revolution had come over the Revolution party. They were careful to avoid the display of resistance, even if they would, under any pressure, acknowledge that there had been resistance, and now they were flaring the fact of resistance before the world and boastfully vindicating it. On the assertion that Queen Anne's best title to the crown was the parliamentary title, he said,—“I must take the liberty to affirm the quite contrary; and that in my opinion the best title her Majesty has is her hereditary title; though I deny not that the Act of Parliament is a strengthening and confirmation of that title: but I deny a parliamentary title to be the only or the best title that the queen has to the crown she wears. And in saying this, I do not fear the malicious reflections of having a squinting regard to the title of any person on the other side of the water; for in affirming as I now do to your lordships, that her Majesty is my rightful and lawful queen, by right of inheritance, and as she is daughter of James II., I do in so many words affirm also that there is no other person the rightful and lawful heir to King James but herself. And if the present impeachment of Dr Sacheverell shall have this effect—as I hope it will—to convince

the nation of the undoubted truth of her Majesty's right of inheritance to the crown (a matter now so industriously opposed), the security this will bring to her Majesty's person and crown, and to the succession in the Protestant line, and the illustrious house of Hanover afterwards, shall prevail with me easily to pardon any warm and unguarded expressions he may here and there have dropped and made use of in any of his discourses."¹

Lord Haversham's is the only speech by a lay lord preserved in the best report of the impeachment, that in the 'State Trials.' In the more imperfect report in the 'Parliamentary History,' the Dukes of Argyle, Shrewsbury, Devonshire, and Buckingham, and the Lords Wharton, Ferrers, Guernsey, Halifax, North, Grey, Anglesey, Sunderland, Mar, and Somers, with the Chancellor, are entered as speaking, but briefly, and apparently to points of practice and order.² It is stated that "the Duke of Leeds made a very long speech," but it occupies but thirteen lines in the report; and the only portion of it given in full may be considered the curious admission that "he had a great share in the late Revolution, but said he never thought that things would have gone so far as to settle the crown on the Prince of Orange, whom he had often heard say that he had no such thoughts himself." And he held that, "had it not succeeded it had certainly been rebellion."³

Four bishops spoke, seeming to think it right that as all the discussion had been held by secular politicians and lawyers, there should be some expression from the bench of bishops on such an occasion. All

¹ St. Tr., xv. 480. ² Parl. Hist., vi. 805 *et seq.* ³ St. Tr., xv. 487.

four spoke against Sacheverell, but in the tone of mild rebuke that became their position as ecclesiastical patriarchs, professing moderation in religious matters. They neither girded themselves to fight over the battle of Low Church with High, nor did they, like the lawyers and politicians, drive the equivocal expressions of the popular orator to the guiltiest political conclusions.

Some of the theological tenets on which the accused founded his bitter attacks were corrected and rebuked with a mild and grave authority becoming to men who needed neither denunciatory rhetoric nor dogmatic assertion to give influence to their words. The inferences from the Homilies were neutralised by a reference to those special dangers of the times against which the warnings in them had been directed. The inference of absolute doctrines of obedience to political superiors from the fifth commandment, enjoining reverence to parents, was contradicted. It is one of the weaknesses of theological disputants to be least tolerant of doubt in others when their own reasons for belief are weakest, and Sacheverell vouched his complex inference by the petulant remark that he was not aware that the fifth commandment had been abrogated. Wake of Lincoln was somewhat bitterer than his brethren when, in giving an account of his own share in the effort to make peace with the less vehement among the Dissenters by a "comprehension," he cited and denounced as "applicable to that proposal, "the worst adversaries of our Church," who, says he, "were to be let into her bowels under the holy umbrage of sons, who neither believed her faith, owned her mission, submitted to her discipline, or

complied with her liturgy. For the admission of this Trojan horse, big with arms and ruin, into our holy city, the strait gate was to be laid quite open, her walls and enclosures to be pulled down, and a high-road made in upon her communion."¹

Among the qualities that went to secure to Queen Anne the occupancy of the throne, it would be omitting what is the chief of all if no reference were made to her resolute Protestantism, and to the special quality of that Protestantism, as being of the type of the Church of England. The apostasy of those nearest in kin to her had only made this quality the more conspicuous; for had she not endured much harassment from her Popish father, standing true to her creed under domestic persecution, and preserving it in its simple purity before the licentious and thoughtless Court of that uncle who was only not earnest and honest enough to avow himself also a convert to the Church of Rome?² There were conditions rendering the Church of England party at that time supreme over others. The English Dissenters were scattered and isolated, and the favour they had met with from the indulgences of the Popish king excited against them the prejudices not only of the orthodox, but of those whose political creed was more practically influential than their religion. There was in

¹ St. Tr., xv. 507.

² Writing to her sister on 13th March 1685, she had said: "Things are come to that pass now, that if they go on so much longer, I believe, in a little while, no Protestant will be able to live here. The king has never said a word to me about religion ever since the time I told you of; but I expect every minute, and am resolved to undergo anything, rather than change my religion. Nay, if it should come to such extremities, I will choose to live on alms rather than change."—Dalrymple Memoirs, iii. 299, Appx.

Ireland a large body of Roman Catholics, but these were counted as nothing in the estimate of available political forces. In Scotland, the Presbyterians of the Establishment were firmly rooted in their own method of Church government; and as it was of little moment to them that Englishmen lived under a different dispensation, so they had no fear that it would again invade them with a half-Popish service-book and the abjured order of bishops. There was among the Presbyterians a fierce and stern party—the remnant of the Remonstrants of old; but these were not within the practical estimate of political forces, for they had no avowed policy, and no leadership. They had no voice except for protesting against everything. In King William they had been subjected to the rule of an uncovenanted monarch, and nothing more accursed could befall them. Nay, if a government were to arise more offensive than his to the moderate Erastian establishment, there would be a better chance for the good old cause which had borne the Covenant in triumph over the three kingdoms. The Episcopalian party had been overthrown, and were undergoing a mild persecution, and a sovereign zealous for the Episcopacy of the Church of England might find opportunity to befriend them. The bulk of them were no doubt Jacobites in politics, but this was an element of disturbance lying dormant while there was a Stewart on the throne. Meanwhile the common nomenclature, "Episcopalian," entitled the friends of the Church of England to count them as coadjutors.

In the House of Lords there were bishops who might have spoken on the side of the accused, had that been prudent and desirable; for among those

who voted him not guilty were Compton of London, Dawes of Chester, Hooper of Bath and Wells, Sprat of Rochester, and Crew of Durham. Only one of them, however—Hooper—is briefly reported as having “endeavoured to excuse Dr Sacheverell.”¹ Burnet came nearer to the political issues than his brethren, and there were certain tokens of individuality in what he said, such as Burnet never failed to display when he had the opportunity—references to himself, to the services he had done, and the State secrets he had been acquainted with. He honestly avowed that the Revolution was an act of resistance, and that he had taken such part in the resistance as a clergyman could, and his conscience was at ease in having done so. “I served in the Revolution and promoted it all I could. I served as chaplain to the late king. I had no command, and carried no arms, but I was so far engaged in it, that I could see that if I had gone out of the way in that—and the many ups and downs we have gone through since, has given occasion to reflect on that transaction—I should hold myself unworthy to appear longer either in this habit or in this great assembly, but should think myself bound to pass away the rest of my life in retirement or sorrow.”²

Sacheverell, besides being heard by counsel, had an opportunity of reading two papers in his own defence. This was a privilege natural to such a form of trial as impeachment, where so many could take part—where every member of either House could speak his mind on the whole affair. Then, it was admitted that the weight of the charges against him

¹ Parl. Hist., vi. 846.

² St. Tr., xv. 481.

was not so much in specific acts or even words, but in the inferences drawn from what he had said; and just as in the course of conversation a false inference may be hastily drawn, the tenor of further explanations may mitigate or neutralise it. As he himself pretty justly said: “To aggravate my guilt, I have been accused not only for what I am supposed to have said, but what I am allowed not to have said; not only for what I have taken notice of in my sermons, but for what I have passed by unobserved. I have been charged with negative crimes, as if what I had omitted to say had been omitted with design, and my silence itself were criminal.”¹

As efforts in rhetorical literature appropriate to the occasion, both these papers are in thoroughly good taste. They are deferential and grave, as befits the august audience he is addressing. They are moderate and apologetic, without anything that could be interpreted as servility, timidity, or a shrinking from the banner of his principles. Naturally they touch as little as possible on political ground, appealing to his judges rather as a priest who has taken a certain conscientious understanding of his duties, and is constrained to give utterance accordingly. From qualities appealing so expressively to respectful consideration, it has been conjectured that these papers were not of his own composition. I do not see the necessity of such an inference. They are of a tone different from the tone of his sermons; but these, as well as the papers in question, are works of ability—of so much ability, that one can quite understand his suiting different tones of

¹ St. Tr., xv. 300.

thought and language to different conditions. Then there was a mighty difference between the audiences in St Paul's and at the assizes at Derby; and both differed widely from the audience in Westminster Hall.¹

It is probable, however, that he received much advice on the fashion in which he ought to conduct himself, and on one particular point it is likely that he was very earnestly counselled. There was a person on the other side of the Channel, concerning whom there was much thinking but little speaking—the poor prince known as the Pretender. There was a general tremulous suspicion that there was Jacobitism in the land, but to accuse any one person of Jacobitism, was to do a desperate thing. The difference between that and the charge of Toryism or High Churchism may be exemplified from the grade of certain offences in private life. One who has succeeded to wealth and an honourable name has taken to gambling and the turf, and other evil ways destructive to his fortune and his health. These things are openly and lightly spoken of. But suppose a suspicion to creep into his circle that he has swindled, or forged, or cheated at cards? In that day it might naturally enough be a suspicion of highway robbery.

¹ St. Tr., xv. 300.

CHAPTER XII.

The Sacheverell Commotions.

(Continued.)

PREPARATION OF WESTMINSTER HALL FOR THE TRIAL—PROCESSIONS—THE QUEEN'S INTEREST IN THE CASE—SYMPTOMS OF POPULAR RESTLESSNESS—THE DOCTOR'S STATE PROGRESSES—DESIGNS AGAINST DISSENTERS' MEETING-HOUSES—DR BURGESS—CHARACTERISTICS OF THE DISSENTING CLERGY—THE WRECKING OF BURGESS'S CHURCH, AND OTHER MISCHIEF—CONCLUSION IN WESTMINSTER HALL—PARTING BLOW FROM THE COMMONS—BENJAMIN HOADLEY—BLACKALL—CALAMY—PAMPHLETEERING—SACHEVERELL'S SCHOLARSHIP—PERSONALITIES—SATURNALIA—THE POETIC ANTHOLOGY OF THE OCCASION—SACHEVERELL'S CONSPICUOUS PLACE IN HISTORY AS UNCHAMPIONED.

THE present generation has seen nothing of the trial by impeachment, and has not enjoyed the opportunity of feeling the peculiar sensations of hearing, sometimes day after day, sometimes at long intervals, of the progress of the great cause. We have materials enough, however, to know that those who were so favoured could hand down traditions about ceremonies and formalities, august and protracted when compared and measured with common parliamentary proceedings or actions in the ordinary courts of law; and the trial of Sacheverell was august and pro-

tracted, even among impeachments. A special court for the trial was fitted up within Westminster Hall. It was scrupulously partitioned, so as to separate from each other all the component parts of what would otherwise have been a mixed assembly. The business was not all transacted in the great hall; for whenever a question of law, or any other question on which the Lords, as judges in the case, required to have a discussion or take legal advice, arose, they marched away in solemn procession, according to their several ranks, to their own House, and when the matter was adjusted they marched in like solemnity back again.

Long precedent had established the order of the procession. In the following enumeration of its several parts we see how it began, according to the usual practice of State processions, in persons of small moment, and expanded in representation of dignity and power as it passed on:—

“First, the assistant to the clerk of the Parliament.

“Then, the clerk of the Crown in Chancery and clerk of the Parliament; after them, the masters in Chancery, two and two, and the [queen’s] attorney-general, alone.

“Then, the judges of all the courts in Westminster Hall, by two and two.

“Next to them, the noblemen’s eldest sons.

“After them, four sergeants-at-arms, bearing their maces.

“Next, the gentleman usher of the black rod.

“Then, all the noblemen, according to their respective degrees, the juniors first — viz., barons, viscounts, earls.

“Great officer — viz., lord chamberlain of the household.

“Marquises, dukes.

“Great officers—lord privy seal, lord president of the council.

“Then, four more sergeants-at-arms, bearing their maces.

“After them, the gentleman carrying the great seal.

“Then, one of [her] Majesty’s gentlemen ushers, daily waiters carrying the white wand, garter principal king-at-arms going at his right hand.

“Then the lord high steward, having his train borne.” Latest and most august in this order would have been princes of the blood, had there been any; and after due consideration in setting a new precedent, it is likely that here would have been the place for Prince George of Denmark, had he been alive.¹

As the queen took a deep interest in the trial, and desired to be present when she thought fit, a cabinet was placed within the hall, to which she could resort unseen. If any reflections crossed her mind about that dark period of England’s history when her grandfather sat in such a conclave, and heard his policy and conduct denounced as crimes deserving death, her own was a very different lot. It was far from the proverbial fate of the listener. There were many bitter things said of others, but about the queen all was duty, attached loyalty, and personal laudation. Of these—some of them very skilfully applied—take the following as specimens:—

¹ The above is taken from the minute particulars of the established practice given in the report of the impeachment of “The Popish Lords” in 1680.—St. Tr., vii. 1296.

Is it true that the Church is in danger? After all the influences protecting it are described comes the climax. "But above all, when it is under the protection and government of a supreme head—a true and constant defender of its faith and discipline, who, having already exposed her royal person to hardships and dangers to rescue it in time of its utmost peril, does continue daily to manifest the same devotion, piety, and tender concern for it,—under this powerful alliance for its support, can aught but malice and envy at its prosperity, can any one but an incendiary and disguised enemy insinuate, that the Church of England is not fenced and fortified with an impregnable barrier against all danger from open attacks or violations?"¹

Here is a comparison of Queen Anne with Queen Elizabeth. "I would not be thought in anything to reflect on the memory of that glorious queen who was so eminent an instrument of God to deliver this kingdom from Popery, from the power of Spain, and to settle the Protestant religion among us. But it must be confessed that there were these spots and blemishes in her reign permitted by God's providence [in allusion to the 'wholesome severities']. And this should raise our gratitude to almighty God and our thanks to her present Majesty, whose reign hath exceeded her predecessor, Queen Elizabeth, without being checkered with any of those spots or stains. And as Queen Elizabeth preserved this kingdom from the monarchy of Spain, so her Majesty has preserved us from the united power of France and Spain, been the terror of her enemies abroad, while,

¹ Mr Dolben's Speech.—St. Tr., xv. 168.

at the same time, she has, with universal clemency and justice, cherished and protected all her subjects at home."¹

Much curiosity was awakened on the question of the queen's thoughts on the whole affair. That she took an interest in it was apparent from her attendance in Westminster Hall; but the matter there at issue was of a kind to make every one take a side,—and to which did her interest incline? There was more in this than the common curiosity to know the inner secrets of the royal mind. It was in the decrees of fate that there was to be a great revolution at Court; and the knowledge sought might answer the question how far that revolution had already made secret progress. But there was little to satisfy the curiosity of the day, and nothing to help us now to a conclusion but some faint hints by Burnet, tinged with his prevailing propensity to figure as one specially admitted to Court secrets. While Sacheverell was at the bar "many of the queen's chaplains stood about him, encouraging and magnifying him; and it was given out that the queen herself favoured him—though, upon my first coming to town, which was after the impeachment was brought up to the lords, she said to me that it was a bad sermon, and that he deserved well to be punished for it."²

As these solemn processions and ceremonials within the walls of St Stephen's were drawing near to

¹ Speech of Sir Peter King.—St. Tr., xv. 429.

² Oxford edition, vol. v. p. 445. There is here a note on those who stood at the bar: "The respectable names of Smalridge, Stanhope, Atterbury, and Moss, are mentioned on this occasion.—See *Life and Reign of Queen Anne*, published in 1738, p. 520." I have been unable to verify this reference.

their long-protracted fulfilment, other processions of a more lively character, in the open streets of London, were from restlessness expanding into turbulence; and at last developed a violence and ferocity, sufficient to send gloom and apprehension to the hearts of the orderly citizens. Sacheverell, who lived in the Temple, passed through the Strand, on the days when he had to attend at the bar, in a coach in which he was easily seen through large glass windows. A sort of body-guard of friends and well-wishers attended him, and this body was gradually swollen by contributions from the miscellaneous public of London, who were curious to behold a man who was making for himself so large a place in history. They became at last a mob, and like all mobs insolent, domineering, and dangerous. In the words of a contemporary observer, "He had the unparalleled presumption to pass through the streets in state like an ambassador making his entry, rather than like a criminal conducted to his trial. What shouts and huzzas were made all round about by the servants, hirelings, and dependants of the party! what indignities and affronts were offered to men of the first quality, to bishops, to the managers, and to other members of both Houses! What execrations were uttered against all that would not declare for 'The High Church and Sacheverell,' and what blows were distributed among such stiff-necked persons, as refused pulling off their hats to this senseless idol! Yet the doctor, good and pious soul, professes in his speech to abhor all such disorders."¹

While his egregious vanity feasted itself on the

¹ The Life and Posthumous Works of Arthur Maynwaring, 109.

procession of ardent champions who daily attended his progress to Westminster, he could not but see that their threats and violence served his accusers with a practical confirmation of their worst interpretations of his conduct and objects. Hence, in a decorous and skilful reference to his afflictions, "I reckon it not the least of my sufferings, that I have been so long time debarred from taking heed to that flock over which the Holy Ghost hath made me an overseer. For ever since I have had my liberty, by the favour of your lordships admitting me to bail, I have purposely avoided doing any part of the duty of my function, or even appearing in public, lest it should occasion any tumult or disturbance, as my necessary attendance on your lordships from time to time has since been thought unhappily to have done, without any fault of mine, or the least degree of encouragement given by me, which I profess in the presence of God to abhor." But this was contradicted by facts too notorious, and the best that can be said for its sincerity is, that it was the offspring of a self-approving sophistry, inspired by vanity.¹

¹ "Does not the whole town know this to be false in fact? Did not he go to his trial in parade and state through the streets, in a chariot with large glasses, that his mob might see and adore him? Did they not tumultuously follow him the very first day, insult people in the street, and attempt Mr Burgess's meeting-house the next night? Had the doctor been so careful to avoid tumult or disturbance? Was it below his quality to go in a close coach, or in the worst hackney in town, without that parade and retinue? Better men than he in every respect would have gone by water, as he might easily have done from the Temple, and landed at Westminster stairs to avoid tumults."

"He continued to go in the same flaunting parade to the House during the whole time of his trial, and even in the height of the mobs, after they had broke out in open rebellion, attacked the members of both Houses in the streets, threatened the houses and lives of the chief

From mere turbulence and parade, the mob was noticed as preparing itself for dangerous ferocity. Burnet tells of his own experience, — "The word upon which all shouted was, 'The Church and Sacheverell;' and such as joined not in the shout were insulted and knocked down. Before my own door, one with a spade cleft the skull of another who would not shout as they did."

After a term of aimless restlessness, the destructive spirit of the mob finally settled down in a project for wrecking the chapels or meeting-houses of the Nonconformists. They selected as their first victim the renowned Daniel Burgess. He was the most powerful and popular among their ministers; and he was remarkable as the leader of a revival, not in the doctrines of his sect, but in the method of promulgating them. Throughout all who owned Puritanical principles, there had prevailed a solemn gloom of life and conversation. It was partly a creed as the becoming tenor of life for a Christian, partly it arose naturally in the convulsions and tragedies in which Puritanism held so large a share; and it was certainly hardened by the licence and ribaldry filling the country on the reaction of the Reformation. Goodwin, the mighty ecclesiastical statesman of the Assembly of Divines, was the last conspicuous representative of the gloomy school, and was described by one of his own brotherhood as "an enemy to mirth and cheer-

ministers of state, and burnt down the Dissenters' places of worship. Yet every one knows the doctor continued his procession of state till the train-bands at Charing Cross scattered the mob that followed his coach; after which the doctor humbled himself so far as to go to the House in a chair."—Dr Sacheverell's Speech, &c., with Reflections thereupon, Paragraph by Paragraph, 1710.

fulness, and a severe exacter of pensive looks and solemn faces."¹

A generation half-way between that and the present time was familiar with the class, as rendered to the life by the pen of Addison. "Sombreness is one of those sons of sorrow; he thinks himself obliged in duty to be sad and disconsolate. He looks on a sudden fit of laughter as a breach of his baptismal vow. An innocent jest startles him like blasphemy. Tell him of one who is advanced to a title of honour—he lifts up his hands and eyes. Describe a public ceremony—he shakes his head. Show him a gay equipage—he blesses himself. All the little ornaments of life are pomps and vanities. Mirth is wanton, and wit profane. He is scandalised at youth for being lively, and at childhood for being playful. He sits at a christening or at a marriage-feast as at a funeral, sighs at the conclusion of a merry story, and grows devout when the rest of the company grows pleasant."²

¹ Wilson, iii. 419.

² Spectator, No. 494.—The following sketch, with more individuality to enliven it, is supposed to have been taken from an involuntary sitting by Goodwin himself. A "young adventurer in the republic of letters" goes to pay his respects to the head of the college he is about to enter. "He was received at the door by a servant who was one of the gloomy generation who were then in fashion. He conducted him with great silence and seriousness to a long gallery, which was darkened at noon-day, and had only a single candle burning in it. After a short stay in this melancholy apartment, he was led into a chamber hung with black, where he entertained himself for some time by the glimmering of a taper, till at length the head of the college came out to him from an inner room, with half-a-dozen night-caps upon his head and religious horror in his countenance. The young man trembled; but his fears increased when, instead of being asked what progress he had made in learning, he was examined how he abounded in grace. His Latin and Greek stood him in little stead. He was to give an

If we are to condemn these dismal demonstrations as alien to the spirit of Christianity, we may well palliate them by recalling the long succession of tragedies witnessed by the elder divines who saw the accession of Queen Anne. In her reign there came a violent reaction, in a certain spirit of drollery taking possession of some of the gifted among the Nonconformist clergymen. It was deemed less congenial to the nature of such men than the gloom they had discarded, and it fell on the times as something still more motley and odious than the kind of merriment of clergymen that disturbed the nerves of Dr Johnson. But there was something deeper in the reaction than mere animal spirits or hilarity, or even the ambition to acquire a reputation for worldly wit. It was a genuine and earnest effort of priestcraft. The object was, by amusing sallies to draw audiences, that sinners might have an opportunity of being reclaimed. "A word in season—how good it is!" and where there was an assemblage of idlers, such a word might drop among them so as to bring it about that they who came to scoff remained to pray. Fleeting anecdotes of grotesqueness and profanity form the bulk of this fantastic crew. Of the most renowned among them, Daniel Burgess, we have more distinct impressions, and we can believe that motley as the best things said by him now appear, they are above the taste prevalent in his class.

account only of the state of his soul; whether he was of the number of the elect; what was the occasion of his conversion; upon what day of the month and hour of the day it happened; how it was carried on, and when completed. The whole examination was summed up with one short question—namely, whether he was prepared for death."

His church was at one time in Russell Court beside Drury Lane, and we are told that, "It being situated near the playhouse, and the neighbourhood a loose sort of people, many persons who were scoffers at religion, especially at the Dissenters, would frequently come to hear Mr Burgess for their diversion and sport. And as he was a man of ready parts and a great deal of spirit, he would often address his discourse to them personally in the most lively and striking images. And God so blessed his endeavours that he was an instrument of converting many who came with no other view than to deride and scoff at him."¹ Here is an instance in point.

"A certain lady of quality and abundance of wit, having heard a great many bantering stories of him, according to the world's custom of treating that gentleman, resolved to 'borrow Sunday,' as she called it, to make herself merry, and she would go and hear Dr B——s, and invited the company to come the next day to hear her. Accordingly they came, and the relater hereof with the rest, when, contrary to all expectation, the lady, full of concern and touched with the folly of her proposal, told them she was far from thinking him a man to be bantered—that

¹ Wilson—History and Antiquities of Dissenting Churches and Meeting-houses in London, iii. 497, 498. Here are specimens of his manner: "Preaching to his people, and telling them to secure their everlasting welfare, he tells them, if they wanted a suit for a year, they might go to Mr D'Oyley; if for life, into Chancery; but if they would have one to last for ever, they should go to Jesus Christ and get the robe of His righteousness to clothe them. In the reign of King William he assigned a curious reason why the people of God who descended from Jacob were called *Israelites*. It was because God 'did not choose that His people should be called Jacobites.'"

she would not for a thousand pounds but have heard him preach that sermon. That she heard what convinced her that she had been a fool all her days, and she hoped he had taught her to be wiser."¹

We may condemn all this as bad taste, but still it deserves to be estimated as something of a higher nature than the desecration of the pulpit by buffoonery, committed for its own sake as a degraded enjoyment, or for the paltry applause that buffoonery merits.

The practice of attracting people to places of worship by entertaining them—of "setting traps to catch souls," as it was sometimes called, not without suspicion of a latent pun—was not limited to the Puritanical Nonconformists. The most egregious indulger in it was John Henley, who went so far in the opposite direction as he could get within the bounds of Protestantism. He was what would be now called an extreme Ritualist—so extreme that he had to go outside of the Church to indulge his tastes. He had a liturgy of his own known to critical inquirers concerning primitive models, and it was used in a church built for himself called "The Oratory." He got the name, rather in derision than laudation, of "Orator" Henley. The students of Hogarth's engravings are familiar with his aspect—perhaps slightly exaggerated. Among the floating anecdotes of the time is one that he had engaged to preach a sermon at which every shoemaker in London who could leave his bed would be present. The town was placarded with an announcement

¹ Defoe's Review, i. 312.

that in the pulpit he would show how a pair of shoes could be made in five minutes. Tradition says there was a mighty assemblage of shoemakers. No doubt he preached to them an impressive sermon. Whether he entrapped any souls on the occasion is not on record, but he kept his word by cutting down a pair of boots. We may count Henley among the poets of Queen Anne's reign by reason of 'Esther, Queen of Persia,' an historical poem in four books, by John Henley, B.A., of St John's College, Cambridge, 1714.

To return to the Nonconformists: it was natural that their enemies should not seek out any critical palliation of their incongruities, but heap upon them all the scorn, opprobrium, and derision that their imprudence exposed them to. The chief priests among the Dissenters were extremely powerful within their own body, but this made them all the more odious to their enemies. Hence it followed that when there was excitement and contention, the rabble of London, ever on the alert for an occasion of doing mischief, set upon the Dissenters as a dog bites the shabby stranger whom he sees disowned and scorned by worshipful people.

On the 1st of March, the mob, after they had as usual made Sacheverell's body-guard along the Strand, turned eastward to New Court, near Drury Lane, where stood the meeting-house of Dr Burgess. They wrecked it thoroughly, carrying with them the timber and other inflammable materials, and making a bonfire of them in Lincoln's Inn Fields. The effective manner in which this work was completed, raised many conjectures and suspicions about

leadership and organisation. Some said it was all done by the republican Puritans, others that it was by the Papists, and others that it was by the High Church Jacobites. Some casual words left by Burnet prolonged the search after some deeply hidden plot. He says: "During the trial the multitudes that followed him all the way as he came and as he went back, showed a great concern for him, pressing about him and striving to kiss his hand. Money was thrown among them, and they were animated to such a pitch of fury that they went to pull down some meeting-houses, which they executed on five of them as far as burning all the pews in them. This was directed by some of better fashion, who followed the mob in hackney-coaches, and were seen sending messages to them." And after the affair is at an end—outrage, inquiry, trial, and all—he quits it with the remark: "There was a secret management in the matter that amazed all people; for though the queen, upon an address made to her by the House of Commons, set out a proclamation in which the riot was, with severe words, laid upon Papists and Nonjurors, who were certainly the chief promoters of it, yet the proceedings afterwards did not answer the threatenings of the proclamation."

Another onlooker, Calamy the great Nonconformist minister, concludes his account with, "Perhaps the time may come when it may be generally better known by whose influence and encouragement this open rebellion was raised in defiance of the queen and Parliament."¹

Calamy was naturally suspicious. What Burnet

¹ Abridgment of Baxter, i. 721.

says deserves full attention, in consideration of his opportunities; for his curiosity about the conduct of the mob was sharpened by the imminent risk that at any moment he might be their next victim; and he knew almost everything that was known to the statesmen still in power. And yet he probably comes nearer the efficient causes of the outbreak when he tells us that there was much suffering and despondency among the common people from depression of trade, and that they were affected with a strange excitement by the mysterious inroad of the fugitive Palatinates.

As to what he says about the people of better fashion following the mob in coaches and sending messages to them, we may count that, however some eccentric or excited persons may have done things that could be so described, the thorough investigation in the effort to bring the offenders to justice, shows that there was no deep plot managed by preconcerted organisation.

In this, as in many other instances, we must be content to believe that in mobs there is a certain gregarious physiology or natural instinct combining them in harmonious combination to the accomplishment of their ends. It will be observed that these are of a limited kind, being only mischief and cruelty—both simple affairs—accomplished by rough and ready manipulation. Then they naturally keep their secret; and it is not difficult to do so, when we remember that they drop one by one from the adjacent houses into the accumulating mob, and that when the work is done they skulk separately homewards by the most obscure ways they can find.

Having finished the most conspicuous part of their work in Lincoln's Inn Fields, the mob visited other churches near at hand,—Earle's in Hanover Street, Long Acre; Bradbury's in New Street, Shoe Lane; Taylor's in Leather Lane; Wright's in Blackfriars; and Hamilton's in Clerkenwell,—doing mischief to all of them. Had the mob been under cunning guidance, they would not have indulged themselves in a bonfire. They might enjoy the fright given to the sober citizens dwelling near Temple Bar. But they proclaimed the news of what they were about to the Court, and there the alarm stimulated activity. There was an anxious consultation at the Old Cockpit at Whitehall. The trained-bands at the disposal of the association were the proper available force for the occasion; but they had ceased to be a smart corps that could be promptly embodied. They at that time consisted chiefly of paid substitutes, and, belonging to the idle restless class who seek such means of living, their dwellings or hiding-places could not be immediately found. It was believed that the place where the largest number of them could have been found at once was in the mob itself. The readiest available force was the Life Guards, but these could not be sent on such a duty without the special interposition of the sovereign. The author from whose account of this short crisis all others seem to have been taken, says: "Upon the first notice of these disorders, the Earl of Sunderland, principal Secretary of State, made his report to the queen, who commanded his lordship forthwith to send her horse and foot guards to disperse the mob; and the earl, representing the danger of leaving her

Majesty's sacred person unguarded at that time—it being between ten and eleven o'clock at night—her Majesty courageously answered, '*God would be her guard.*' The earl being returned to his office at the Cockpit, where were also the Lord Chancellor, the Duke of Newcastle, and some other noblemen, his lordship sent for Captain Horsey, an exempt, who then commanded the Guard, and ordered him to mount immediately and go and disperse the mob. The captain, making some scruple to obey the order unless he was relieved, alleging he was the queen's body-guard, and must be answerable for any accident that might happen, he was told it was the queen's express command; and both the earl and the Lord Chancellor representing to him the danger of delays, he acquiesced upon a promise that the Secretary should give him his orders in writing. The captain only asked whether he was to preach or fight the mob. If the first, he desired some better speaker might be sent along with him. To this the earl replied: he must use his judgment and discretion, and forbear violent means except in case of necessity. And as the captain was going out, my Lord Sunderland whispered him, and bid him send a party to the bank."¹

The Guards found the mob employed in making a second bonfire in Drury Lane with the material acquired in gutting Mr Earle's meeting-house. They were easily dispersed. Marching eastwards to the city, the Guards found a detachment of the mob at work on Mr Wright's meeting-house in Blackfriars; and here, we are told, "having cut and slashed some of

¹ Boyer, 416, 417.

the most daring, and secured others, the rest were soon scattered."¹ Though this sounds tragically, the whole affair was remarkable, among formidable tumults, for its bloodless character. One death only is on record—"a young man, apprentice to a linen-draper, and heir to a good estate, who was at the pulling down of Mr Burgess's meeting-house, was overtaken by divine justice in the very act, and killed by the fall of a casement."²

We shall presently see how meagre was the harvest of punishment reaped by the Crown after mighty efforts to discover and convict the perpetrators of these outrages. Any one who, with some practical acquaintance with criminal inquiries, reads the abundant documents making up the trials for high treason on the occasion, sees at once that the failure to reach the leaders was not caused by the deep policy of their organisation, but by the absence of all organisation, and the ephemeral wayward nature of the motions of an unorganised mob.

One rumour, exciting hope of brilliant results, was that the mob was led by a man in military uniform bearing a banner. But instead of an officer of rank, or even a person masquerading in that capacity, the uniform, on investigation, degenerating into the rather showy livery of a certain Francis Willis, the footman of a lady residing in Hatton Garden, who, seeing the bright blaze of the fires, had sent him to find out for her satisfaction the place and cause of the conflagration. As to the banner, it also degenerated into a fragment of a curtain—probably belonging to the wrecked meeting-house. It would have made a great

¹ Boyer, 417.

Ibid.

point if, nevertheless, it had been proved that Willis employed it as a banner for marshalling his followers, since it was one of the most ancient and effective of the overt acts, frequently charged when there was no truth in it, that the person indicted for high treason—and to such a charge Francis Willis had the honour of answering—that the accused had committed his treason of war against the king "with banner displayed." But the history of the curtain was indistinct. At all events it was not proved that Francis Willis handled it as a warlike badge; and indeed the faults of the man destined to so curious a renown, seemed to have gone little beyond the consumption of a pot of beer with a companion, and loitering with the mob to gratify his own curiosity, instead of returning to gratify that of his mistress.¹

Let us now return to Westminster Hall, where the great trial came to an end while yet the affair of the riot was under investigation. The form of impeachment gave the last word or final pleading to the accusers, and then judgment was demanded in a powerful short summary of the essence of the charge by Sergeant Parker. The reader will probably not regret that he finds it without a search through the 'State Trials.'

"My lords,—The just veneration we owe to the divine Majesty—for the doctor's behaviour has made that now part of the case—the honour of Christianity,

¹ It happened that in the more tragic affair of the Porteous Mob, the only person who could be so far identified as to be brought to trial was a footman, whose presence was found to have been involuntary. The coincidence is not purely fortuitous, for in both instances the brilliancy of the party-coloured garments distinguished their wearers from the dingy mob.

the Church and its holy orders, the security of the present Establishment and the Protestant succession, the safety of her Majesty's person, the quiet of her Government, the duty we owe to her as our sovereign, the gratitude for her most gracious administration, the honour of our prelates, the obligations we are under to prevent seditions and tumults, to undeceive the people, to quiet the minds of the Protestant Dissenters and convince them the toleration allowed them by law is not to be taken away from them, to secure at present and transmit to our posterity, as far as in us lies, our religion and liberties, and to vindicate the Revolution, which is the foundation on which they stand, and the glory of our late royal deliverer, to whom, under God, we owed it, and to banish sedition from the pulpit, which is and ever ought to be sacred to divine purposes—require the Commons to demand your lordships' judgment on this offender."¹

On the 20th of ~~October~~^{March} the vote was taken according to ancient practice in the inverse order of precedence, the Lord Chancellor saying to the baron of latest creation,—“Lord Pelham, what is your lordship's opinion? is Dr Henry Sacheverell guilty of high crimes and misdemeanours, charged on him by impeachment of the House of Commons?” The answer was, “Guilty.” In all, there voted 121—69 finding “guilty,” and 52 “not guilty.” The ceremonies and processions were not yet at an end. There were questions on which the lords had still to march to their own House for consultation with the judges, and other purposes. At length they sent a

¹ St. Tr., xv. 465.

formal intimation that they were ready “to give judgment, if the Commons, with their Speaker, will come and demand the same;” and the Commons made answer that they should immediately do so. In their way to the House of Lords they interrupted contests of etiquette between the Speaker with his mace and “Black Rod” with his rod,—one of the affairs about interpretation of precedents, the significance of which it is hard for any but those deeply versed in parliamentary precedent, and largely conscious of the importance of every particle of it, to comprehend.¹

The judgment enjoined the culprit “not to preach during the term of three years next ensuing;” and further, that his two sermons giving cause for the impeachment be burned at the Royal Exchange “by the hands of the common hangman, in the presence of the Lord Mayor of the city of London and the sheriffs of London and Middlesex.”

The Lords took the opportunity of adjudging that

¹ The commencement of the narrative of this affair by the profoundest authority on parliamentary precedent may perhaps suffice: “When the Speaker (Sir Richard Onslow) went up to the House to demand judgment against Dr Sacheverell, as the man was going into the House of Lords before the Speaker, the Black Rod endeavoured to hinder it by putting his black rod across the door; on which the Speaker said, ‘If he did not immediately take away the black rod he would return to the Commons.’ The Black Rod desired him to stay a little, and he would acquaint the Lords. The door was shut, and Mr Speaker and the House stayed without. After a little time the door was opened, and Mr Speaker, with the mace, went in. As Mr Speaker was going to the bar the Black Rod attempted to interpose himself between the Speaker and the mace; upon which the Speaker said aloud, ‘My lords, if you do not immediately order your Black Rod to go away, I will immediately return to the House of Commons.’ After some further contest, the Commons reached the bar and demanded judgment.”—Hatsell's Precedents, iv. 292, 293.

another document, holding a far more important place among public testimonies than the two sermons, should be burnt at the same time with them, condemned under the same auspices. This was the celebrated judgment and decree passed in convention by the University of Oxford in 1683.¹ It was, as we have seen, cited in vindication of the doctrines expressed in the sermons, and therefore was treated as the work of accomplices in the offence of their author. At the head of the array of doctrines condemned by men so high in dignity as the heads of the chief British university, but restored to acceptance in the reversal of that condemnation by a more august tribunal, stand the following :—

The First Proposition.—"All civil authority is derived originally from the people."

The Second.—"There is a mutual contract, tacit or express, between a prince and his subjects, and that if he perform not this duty they are discharged from theirs."

The Third.—"That if lawful governors become tyrants, or govern otherwise than by the laws of God and man they ought to do, they forfeit the right they had unto their government."

The Fourth.—"The sovereignty of England is in the three estates—viz., King, Lords, and Commons. The king has but a co-ordinate power, and may be overruled by the other two."

The Fifth.—"Birthright and proximity of blood give no title to rule or government; and it is lawful to preclude the next heir from his right and succession to the throne."

The Sixth.—"It is lawful for subjects, without the consent and against the command of the supreme magistrate, to enter into leagues, covenants, and associations, for defence of themselves and their religion."

¹ Published in the Gazette, 26th July 1683; reprinted, St. Tr., xv. 255 *et seq.*

Such were among the weighty political maxims condemned by the University of Oxford, by a sentence pronounced in 1683, and reversed by the House of Lords in 1710. This is not to be taken as equivalent to a primary assertion of these specific maxims by the House of Lords. They were, in the first place, maxims attributed to certain persons held as political and religious enemies by the University; and being in some measure matter of inference, they might be exaggerated. The sixth was taken from the Solemn League and Covenant, and suggested by a project to revive that bond. But although the Lords might not have given undue prominence to such maxims by positively asserting them, yet their public denunciation by another body was held as an offence in the opposite direction deserving ignominious condemnation. If, then, the maxims received undesirable publicity and prominence, this was due to the conduct of the University of Oxford in its public condemnation, and of Sacheverell's defenders in founding on the condemnation as his vindication.

The majority, small on the question of guilty, dwindled on that of punishment. The suspension from preaching had a majority of only six. A motion that during that period Sacheverell should be incapable of acquiring any dignity or preferment in the Church was lost by a majority of one against it.¹ It is often said that the slightness of the punishment inflicted, and the reluctance to authorise it, such as it was, were matter of mortification and alarm to the Government. I have noticed no stronger symptom of this than a slight growl from Godolphin. "So all

¹ Coxe's Marlborough, ii. 156.

this bustle and fatigue ends in no more but a suspension of three years from the pulpit, and burning his sermon at the old Exchange!"¹ But the severity of the punishment was a trifle beside other questions. It was said by Sergeant Parker, at the conclusion of the reply for the impeachers: "He observes, so far rightly, that his punishment is not all we aim at. No, my lords. What we expect from your lordships' justice is the supporting our Establishment, the preventing all attempts to sap its foundation, and answering those other great purposes I have mentioned; and I hope the clergy will be instructed not to preach the doctrine of submission in such manner as to prepare the way for rebellion."²

The gain to the friends of the Revolution and the Settlement lay in the tenor of the long succession of mixed debates. Through and through these the principle was repeated that a sovereign breaking through the constitutional rights of the Crown might be and ought to be removed from the throne, along with his lineal successors, if that were necessary, and the succession be opened to a collateral dynasty in whom the nation might feel confidence, however far they had to go to find it. Contradictions to these, uttered on authority however high, were condemned; and throughout the whole, no one—not even the defenders of the accused—ventured to hint a contradiction to them. Since that great discussion it has been unnecessary to support the principle of possible resistance in Parliament; and statesmen and constitutional sages have been reluctant to give an opening to such questions,

¹ Coxe's Marlborough, ii. 156.

² St. Tr., xv. 465, 466.

as apt to stir up discontents and vain projects. Thus, in an age when popular power is greater than it was in Queen Anne's reign, the leaders of opinion shrink from the bold assertions of the right of resistance so often repeated in both Houses. The reason for this was all too sufficient. The time was approaching when the Elector of Hanover would come over the sea to occupy the mighty throne assigned to him. Would he be permitted peacefully to take possession? The signs of the times rendered it desirable to have that point settled by redebating and revoting the settlement of the throne. The settlement passed untouched through this perilous test. That the majority against Sacheverell diminished had no analogy with the usual indications of the diminution of the majority against a party in opposition. Even those who did not vote the accused guilty of high crimes and misdemeanour neither did nor said aught to justify the supposition that they doubted the absoluteness of the settlement of the crown.¹

¹ A contemporary sending his views for the information of Scotland, says: "To declare openly for the Pretender would have been too rash a step at first, and would have brought their able heads into worse perils than are consistent with their profession of nothing but Church chivalry. Nor was it advisable to speak directly and plainly against the Revolution and the Protestant succession. Therefore they thought themselves of a safer method to attack the two last mentioned, by condemning all resistance and crying up hereditary right; and to carry on the work of the Pretender by ordering their inferior clergy particularly to cultivate the doctrine of non-resistance—since none even of their own dull hearers could miss finding out the secret, or want light to discover that condemning such resistance as dethroned the father, could have no other meaning but restitution to the son. Besides, to do the doctor right, he spoke it plainly out in his 'Fast' Sermon; for there he says, 'Where the public right is violated, public restitution is to be required; which, if denied, leaves it in the power of the injured to seek justice in the destruction of their enemies.'"—Four

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The gain to the friends of the Revolution and the Settlement lay in the tenor of the long succession of mixed debates. Through and through these the principle was repeated that a sovereign breaking through the constitutional rights of the Crown might be and ought to be removed from the throne, along with his lineal successors, if that were necessary, and the succession be opened to a collateral dynasty in whom the nation might feel confidence, however far they had to go to find it. Contradictions to these, uttered on authority however high, were condemned; and throughout the whole, no one—not even the defenders of the accused—ventured to hint a contradiction to them. Since that great discussion it has been unnecessary to support the principle of possible resistance in Parliament; and statesmen and constitutional sages have been reluctant to give an opening to such questions,

¹ Cox's Marlborough, ii. 156.

² St. Tr., xv. 465, 466.

as apt to stir up discontents and vain projects. Thus, in an age when popular power is greater than it was in Queen Anne's reign, the leaders of opinion shrink from the bold assertions of the right of resistance so often repeated in both Houses. The reason for this was all too sufficient. The time was approaching when the Elector of Hanover would come over the sea to occupy the mighty throne assigned to him. Would he be permitted peacefully to take possession? The signs of the times rendered it desirable to have that point settled by redebating and revoting the settlement of the throne. The settlement passed untouched through this perilous test. That the majority against Sacheverell diminished had no analogy with the usual indications of the diminution of the majority against a party in opposition. Even those who did not vote the accused guilty of high crimes and misdemeanour neither did nor said aught to justify the supposition that they doubted the absoluteness of the settlement of the crown.¹

¹ A contemporary sending his views for the information of Scotland, says: "To declare openly for the Pretender would have been too rash a step at first, and would have brought their able heads into worse perils than are consistent with their profession of nothing but Church chivalry. Nor was it advisable to speak directly and plainly against the Revolution and the Protestant succession. Therefore they betought themselves of a safer method to attack the two last mentioned, by condemning all resistance and crying up hereditary right; and to carry on the work of the Pretender by ordering their inferior clergy particularly to cultivate the doctrine of non-resistance—since none even of their own dull hearers could miss finding out the secret, or want light to discover that condemning such resistance as dethroned the father, could have no other meaning but restitution to the son. Besides, to do the doctor right, he spoke it plainly out in his 'Fast' Sermon; for there he says, 'Where the public right is violated, public restitution is to be required; which, if denied, leaves it in the power of the injured to seek justice in the destruction of their enemies.'"—Four

The Commons were not yet done with Sacheverell. They struck him a parting blow damaging to his reputation and to his sensitiveness, if he had any. It must be admitted, however, that it was provoked by an indiscreet challenge from his friends in the House. To give some support to his charges about the blasphemies and scurrilities of the age, a motion was made for an address to the queen "to appoint a day of public fasting and humiliation to deprecate the divine vengeance which we have just reason to fear on account of those horrid blasphemies which have been vented, published, and printed in this kingdom." In the adjustment of the exact tenor of the final resolution, an amendment was proposed by Walpole, of such a nature as to call up all the powers of resistance of Sacheverell's friends. It was "many of which blasphemies have again, in a most irregular, extraordinary, and insolent manner, been printed, published, and dispersed throughout the kingdom, to the scandal of all good Christians, by Dr Henry Sacheverell during the course of his late trial." If symptoms of growing weakness in the Government suggested to the friends of Sacheverell their tactics in putting the original motion, and pressing the

Letters to a friend in North Britain upon the publishing of the Trial of Dr Henry Sacheverell.

This is not a controversy of reason against reason, but of downright impudence against all the sense and reason of mankind.—Archbishop Tillotson.

"Protect us, mighty Providence;
What would these madmen have?
First they would bribe us without pence,
Deceive us without common-sense,
And without power enslave."

—EARL OF DORSET.

London: printed in the year 1710. Price 3d., p. 4.

amendment to a division, they found that the House was not disposed to inaugurate a new policy by countenancing Sacheverell. The vote stood 144 for the amendment to 79 against it.¹ The House at the same time took the opportunity to add this mass of feculent matter to the abundant literature burned in solemn parade by the hangman. Giving utterance in resolutions of the House to the opinion entertained by them about the conduct of eminent public men, was an established and frequent practice of the Commons early in the eighteenth century. They were, however, at the period we are now dealing with, in a very denunciatory humour. There were commendations and thanks for one great victory after another; but a complimentary vote of meritorious achievements in literature or other services of peaceful men, was a rare occurrence. Accordingly, when a vote of approval and thanks was passed on the eminent clergyman Benjamin Hoadley, it stands alone, and invites inquiry into the reason for an act so unusual. Perhaps we may find that reason.

There are floating suggestions that those who desired to attack some one or other of the High Church propagators of passive obedience, at first looked to the Bishop of Exeter, Offspring Blackall.² His name

¹ Votes, 24th March.

² The gossiping historian of the Covenanters, Wodrow, says: "His (Sacheverell's) sermon, preached at Saint Paul's, and printed, as he says, by desire of the Lord Mayor, could not escape the House of Commons; yet it is said they aimed higher,—the Bishop of Exeter, who preached much the same doctrine in the chapel royal, but unhappily for the doctor, his sermon [the bishop's] was printed by the queen's desire. And so the bishop is let go, and the doctor taken, and the indictment framed, and the trial comes on with great solemnity, and the doctor in very great pomp comes up to the bar, and in his going home is huzza'd;

shows that, like Sacheverell, he was of Puritanic descent. For the name bestowed on him in infant baptism a man is no more responsible than he is for coming into the world, and yet it is apt to be associated with him as partaking of his nature. Such association, indeed, is part of the vitality of fictitious literature, and the selection of a characteristic name for the hero or the villain is an element of success. There was thus for some years after the end of the seventeenth century a motley mixture of Puritanic associations with the habits of the reaction; and many a swashbuckler in his lace, feathers, and abundant curls, had to bear a name intended for a pious, prick-eared Roundhead, and had to swear all the louder and drink all the deeper, to prove that there was nothing in a name. Offspring Blackall repudiated the ancestral Puritanism in his own way by writing for High Church, passive obedience, and the divine right of lineal descent. The sermon preached by Blackall before the queen, was the affirmative converse of the negatives proclaimed in "The judgment and decree of the University of Oxford."¹ Certain opinions, uttered by Puritans and republicans—or authors whose hostility to divine right was believed to lead to republicanism as a legitimate conclusion—were specifically condemned, and expunged from the belief of all righteously thinking men. The blanks thus left in the political confession of faith

and the second day it increases, and the mob turns very insolent, and pull down six or seven meeting-houses, and curse the Whig bishops and lords, and swear they will not have a meeting-house in England, and stop not till the Guards fall on them."—Wodrow *Analecta*, i. 256.

¹ See p. 258.

were filled up with the corresponding orthodox doctrines by Blackall.¹

Blackall, though now forgotten, was a man of great renown in his day, and his private life seems to have secured to him respect among all men. His sermons were collected and published after his death, and in commending their author to the world, Sir William Dawes, the Archbishop of York, piles up a climax of such eloquent laudation as scarcely any of the classical panegyrists or the authors of the French academic *éloges* have excelled. It begins: "I, who had the happiness of a long and intimate friendship with him, do sincerely declare that in my whole conversation I never met with a more perfect pattern of a true Christian life in all its parts than in him. So much primitive simplicity and integrity; such constant evenness of mind and uniform conduct of behaviour; such unaffected and yet most ardent piety towards God; such orthodox and steadfast faith in Christ; such disinterested and fervent charity to all mankind;" and so forth, piling up a greater heap of

¹ "The Divine Institution of Magistracy, and the Gracious Design of its Institution. A sermon preached before the queen at St James's, on Tuesday, March 8, 1708, being the anniversary of her Majesty's happy accession to the throne. Rom. xiii. 4, 'He is the minister of God to thee for good.' By Offspring, Lord Bishop of Exeter. Published by her Majesty's special command: 1709." To be interpreted along with this, as it would seem, a sermon preached some years before by Blackall was reprinted in 1709: "The Subject's Duty. A sermon preached in the Parish Church of St Dunstan's in the West, on the same anniversary in the year 1705." The author of "The Considerations" afterwards cited, says,—"The sermon preached by your lordship on the 8th of March 1708 is the occasion of this trouble, which, compared with that preached at St Dunstan's in the West on March 8, 1704, gives us such an account of your lordship's judgment concerning the duty of subjects, and the original authority of governors, as seems to me to give just grounds for such an examination of it as I at this time design."

virtues than any possible code of human conduct could find room for, without the supposition that the same quality is described in several different ways.

Blackall found an opponent in a man destined to a far wider influence and celebrity than his own—the great Benjamin Hoadley, afterwards Bishop of Bangor. He was a man of pure life, endowed with an amiable and gentle nature. He was a controversialist, no doubt, but his own part of every controversy was uttered with peculiar moderation and courtesy. Yet in his quiet manner he had opened up disputes, cutting so deep into such questions as both in politics and religion rouse the fiercest passions of the age, that in his calmness he was like some magician who, protecting himself in quiet safety within his own magic circle, can raise outside its circumference mighty elements of wrath, strife, and danger. Scarce any of the mighty statesmen and warriors of the country who filled the ear of fame have left so deep a mark as he has left on the constitution of the country; for he put an end to the Convocation—an end to that mixed hierarchical and representative legislation of the clergy, which was to be to them what the Houses of Lords and Commons were to the laity. By a placid sermon on the text “My kingdom is not of this world,” he raised among the clergy, who carried it into Convocation, the great Bangorian controversy. It raged so furiously that the Government closed the Convocation, and that assembly has never been permitted, since it was so closed, to hold a free sitting. The policy of the Government was that of the policeman who, dealing with a riot in a disorderly house

and finding that he cannot appease it, is content to drive the rioters out and lock the door.

Such were the two men who were to have a separate single combat while the Sacheverell affair was engrossing Parliament. The importance attributed by the resolutions of the Commons to this separate contest, raises the rank of the fugitive pamphlets containing it to the rank of State papers, and they demand attention accordingly.

Fortunately for the historian, a controversy so long dead and buried does not require elaborate and exhaustive handling. He will not be expected to make a complete summary of the arguments on either side, and then pass judgment on the respective merits of the disputants. It may suffice to give a few traces of the external character of the contest, that it may be seen what it was that absorbed so much vital interest in its day. And even the unreasoning and passionate character of that interest, helps of itself to display the more prominent features of the dispute, since it roused a spirit of violence and hatred which can only appear irrational and grotesque to an age having little interest in the claims and merits of either side.

Between Blackall and Hoadley, however, the dispute was decorous, and a few short specimens will show its nature. The argument on the foundation of power in the people, is treated by Blackall with a logic almost too complete and delicate for the rough dialectic uses of political debate:—

“This indeed might possibly have been true in case this multitude had sprung together out of the earth, or if they had been all created by God at one

and the same time. But it can't be true, upon the supposition that they all descended from the same first parents Adam and Eve; for it being so, no man, except only the first man of all, ever came into the world but he was naturally, at the very instant of his birth, in a state of subjection to some other. No man, since the first, was ever, properly speaking, free-born. For in his natural capacity he was born a subject to his own parents; and in his political capacity, to the king or other chief governor of that kingdom or state of which, at his birth, he became a member. The people could not, therefore, give to any man the authority over either themselves or others which they themselves never had. They could not give to another what was not their own to give. They could not give to one man what another man was then in the lawful possession of. Thus, I hope, it appears that government is a divine institution, and that the authority of those who are placed in government is from God; both which I suppose were meant by the apostle in these words, 'He is the minister of God.'

Hoadley takes up his parable on the final conclusion, and slipping through the subtle reasoning about giving what the giver did not possess, says: "I might here put your lordship in mind, that St Paul hath guarded his own expression very cautiously and judiciously; that he tells subjects not barely that the magistrate is the minister of God, but that he is 'the minister of good to them for God,' and this opens an argument that the divine commission does not protect him in doing evil. The magistrate's receiving a commission for one particular work immediately from God, ought not to be an argument;" "that there

is none upon earth who can question, censure, or punish him," if he goes beyond his commission.

But there is some harder hitting than this. What was the glorious revolution—the revolution that placed her present Majesty on the throne—the revolution she took an active and meritorious part in? "Nor do we account any part of our excellent queen's behaviour more truly great, more lovely, or more beneficial, than the part she bore in this transaction." "And now, my lord, how must it surprise all who can think, to hear it affirmed that it would have been good for the nation not to have invited over arms and to have joined themselves to them? and for their temporal advantage to have missed that opportunity, and to have sat down contented with their ruin, unless regular forms prevented it? And how must it concern all good subjects, to hear a man of your lordship's character and authority assuring the world that her Majesty's title is only that of a successful usurpation; that submission to her government is indeed lawful, now it is settled, but that the foundation of that settlement was laid in a damnable sin; to find that on a day set apart to celebrate the nation's happiness in her Majesty's accession to the throne, a sentence of condemnation must be raised against that resistance, without which she had never enjoyed either the crown or perhaps her life?"

Although his chastisement of Blackall may have been the service that excited the gratitude of the Commons, a sermon preached by Hoadley on "St Paul's behaviour towards the civil magistrate," had a wider reputation and more popular influence.¹ It

¹ "St Paul's behaviour towards the Civil Magistrate. A sermon

was curiously plain and practical both in reasoning and setting forth examples. It satisfied the English taste for escaping from general principles and alighting on the satisfactory standing-ground of a case in point. No man had more respect for the established institutions than the apostle had. No man was more anxious to avoid the heavy responsibility of resisting the magistrate, when the magistrate exceeded his constitutional power.

"His Christianity did not make him forget that he was a Roman, and as a Roman he judged that he had the privileges of a Roman; and these his Christianity did not oblige him to give up to any mortal as long as he could with honour keep them. The possibility of his being mistaken in this, in which he acted not as an apostle, was no argument to him against this right; nor did the weakness of other men's judgments prevail with him not to set them an example of judging in the like circumstances. What confusion—what disorder, say some—must ensue if subjects be allowed to judge concerning the invasion of their own rights and privileges? But let them believe St Paul for once, that much more misery must ensue upon human society, if it be a settled point that the executive powers may absolutely and without control determine what they please concerning the inferior part of the world. If any one ask when he saith this, I answer, his behaviour speaks

preached at the Assizes at Hertford, July the 26th 1708, by Benjamin Hoadley, M.A., Rector of St Peter's Poor. Published at the request of the High Sheriff and Grand Jury, 1708. Acts xxii. 25, 'And as they bound him with thongs, Paul said unto the centurion that stood by, Is it lawful for you to scourge a man that is a Roman, and uncondemned?'"

it aloud; for he never would have acted the part which he did could he have thought it more for public good that subjects should give up all their judgments to the determination of their magistrates, than that they should judge concerning the violation of their common rights after the best manner they could."

"He could bear and pass by injuries as well as any man; and had they been private persons who had offered him the same indignities, I doubt not he would have borne them without any return but that of forgiveness. But when the civil privileges of that society to which he belonged were invaded by those whose duty and profession it was to maintain them, he thought it a just occasion to show his sense of so great an evil, though it immediately touched only himself. The consideration of the character and office of those who offered the injuries, was so far from determining him to pass them over with silence—according to some men's way of arguing—that it was this very thing that made him look upon them not as private injuries, but with resentment due to injuries of a public and universal concern."

That Hoadley had written this tract, and a few others having reference more or less to the same great question, probably helped the House of Commons out of a dilemma.¹ As the reason for commending their favourite to the notice of the queen, it was well to have something more to appeal to in his favour than his castigation of a bishop who had

¹ That one of his many tracts to which most influence was attributed, is said to have been, "The Measure of Submission to the Civil Magistrate, considered in a sermon on Romans xiii. 1," printed in 1706.

preached before her Majesty a sermon afterwards printed by her Majesty's command. Yet people on both sides were entitled to their own opinions on the reason that influenced the Commons. Those who chose so might believe Hoadley's merit to lie in the castigation that could not be decorously administered by the Commons because the queen was in a measure a participator in the offence demanding it, when they resolved, "That the Reverend Mr Benjamin Hoadley, Rector of St Peter's Poor, London, for having often strenuously justified the principles on which her Majesty and the nation proceeded in the late happy revolution, hath justly merited the favour and recommendation of this House," and therefore they send a humble address to the queen that she would graciously bestow on him "some dignity in the Church."¹ The answer reported to the House was, "Her Majesty will take a proper opportunity to comply with your desire."² Had the affair occurred a few months later the answer might not have been so gracious. As it befell, Hoadley had to wait for his reward till the coming of George of Hanover, in whose cause he had so heartily worked. There were not wanting earlier opportunities for promotion. Within the years 1712 and 1713, the sees of St David's, Hereford, London, and Rochester, became vacant.

When we step out of Westminster Hall to see how the long contest there was taken by the outside world, we naturally make acquaintance with Blackall and Hoadley as those most closely connected with the impeachment and its causes. But the literary

¹ Journals, Dec. 14, 1709.

² Ibid., Dec. 20.

storm spread far away and stirred up countless pens. The age was prolific in pamphlets. They were the rapidly increasing growth of fugitive receptacles for controversy and contemporary history, that was by degrees to be systematised in the periodical press. It would be difficult to find a period when pamphleteers were both so many and so brilliant. With more or less to say of the Sacheverell affair, we have Swift, Defoe, Atterbury, Davenant, Mainwaring, Charles Leslie, Tom Brown, and William King. That Addison is not found among them is a negative testimony to the fine taste that prompted him to deal with lofty topics or to inculcate sound good sense and social decorum.

The personal bitterness of some of Sacheverell's assailants has almost a sublimity of ferocity in it, and so effectively proves the frantic rage of his enemies as to throw on what they say the sort of discredit we apply to the infamous taunts of the enraged participators in a street brawl. Some of the charges against him are paltry gossip about family affairs. He was of Puritan parentage, and had deserted the faith of his parents for base lucre; he was ungrateful to the connections who had assisted him; and to others who in poverty and obscurity sought countenance from him in his grandeur he was haughty and selfish. The personal testimony of those who so suffered was brought to support the charges, and yet so that one could hardly say whether they are fictitious or real. Then he was grossly ignorant, wrong in his classicalities, and so lame even in English grammar and idiom, that he was unable to give accurate titles to the sermons

that made him famous. This charge was opportunely supported by idiomatic peculiarities, partaking of eccentricity at least, if not of some deeper literary sin: "The very titles of his two sermons are false grammar. There is a *communication of sinners*, and there is a *contagion of sin*, but as the doctor has put it, 'tis contrary at least to the common way of speaking. So 'The Perils of False Brethren in Church and State' is properly the perils to which those false brethren are exposed, and not the perils arising from them. His text—if he could have kept to it—had it much more correctly, 'perils among false brethren.' This was observed by a noble peer even in his plea for him; though he was for sparing the *man*, he condemned the *sermons*, and openly declared there was nonsense in the title-page of both."¹

He is represented as a blockhead whose Latinity is signally defective. And here it has been demonstrated that he was incapable of framing a logical title-page in his native tongue. Yet under the head of "lying, forgery, and fraud," he is by the same accuser charged with uttering a very smart antithesis in Latin, in such form as to make it appear not his own invention as it was, but a genuine gem from the classics. In that day, and frequently in later times, almost down to the present, the discovery of a classical quotation, apt to the matter in hand, was a far greater merit than any original utterance of the author, however brilliant and appropriate. The one was sterling gold, the other was—nobody could say exactly what, until it became sanctified by age or discarded as worthless. To utter his own empty words, therefore, in such

¹ The Modern Fanatick, 16.

form as to make them pass current for the genuine article, was certainly one of the minor immoralities called mystifications or hoaxes. But it was a strange charge to bring against a blockhead,—it was like taunting one as so uneducated that he could not write, and then charging him with a very clever forgery.¹

A revolting feature of these attacks takes the shape of charges of personal immorality. If we are to believe them, the popular idol was an ample participator in all the vices, stopping short of crime and the lash of the penal law.²

¹ "Under this head of lying I shall add a gross forgery; I cannot call it a *pious*, but I may a seditious, fraud. That he might represent the greater dangers of the Church from the resolution of the two Houses and the declaration of the queen, he cited this sentence as from a Latin historian, '*Nunquam magis periclitata est respublica Romana, quam cum nemo eam periclitari ausus sit asserere.*' Many of the scholars were so pleased with this pointed Latin sentence, that they asked him from what authority he had borrowed it. He would at first have upbraided their ignorance without betraying his own knavery; but when they had searched the classics and found no such thing, they brought him to a silent confession that he had no authority for it but his own pretty invention."—The Modern Fanatick, 31, 32.

² Some of the charges are put in language unfit for publicity in the present day. Here are some of the less offensive. The patroness of a vacant family chaplainship looking for an incumbent, receives the hint, "I wonder you do not tender it to Mr S——" "O fie!" says the lady, "pray do not name him—he's a sorry wretch. He'll go into the kitchen among the servants and banter the torments of hell-fire before them."—Ibid., 26.

"The sixth charge I shall make against him is of most unchristian imputations, which are a mixture of both the forms rage and profaneness, and therefore not strictly reducible to either." "He was once railing in his usual rancour against the Dissenters, and one asked what he would have done with them as the case now stands, there being such a number of them in the nation. His answer was, 'Do with them? Damn them.' Nay, during his very trial—when one would think the awful providence he was under should have restrained him, how strong soever his habits were—when anything displeased him, it was 'the Devil take 'em.'"—Ibid., 26, 27.

"The ninth accusation of drunkenness, will scarce be denied by the

Conspicuous among these was a clergyman of ability and good repute—William Bisset. Whatever may be said about his discretion or his taste, he was one of the few among the bitter assailants of each other in that wordy war who put his name and his place in the Church on the title-page of what he printed.¹ We know little about him except what

most zealous of his friends—if by himself. They own that he lives freely, and 'tis well known what the real sense of that expression is. He loves his Church (*Dic quibus in terris, et eris mihi magnus Apollo*), his friend, and his bottle; the last, I am afraid, at another guise rate than he did his mistress, and 'tis not a small matter will part 'em. I was assured by one that he sat to it at an inn upon the road from nine at night till ten next morning; and all the town rings of his being Low Church at Sir J. W——r's in Oxfordshire—that is, laid flat under the table, which gave occasion for that sarcasm, 'there lies the pillar of our Church;' or, as the Hempman at Warwick, 'the stay of the nation.'—*Ibid.*, 29.

The following seems to refer to some saturnalia in exultation of the leniency of the sentence in the impeachment. "The 75th Canon forbids all ministers going to taverns other than for their honest necessities, and the playing of dice, cards, or tables; and how well these are obeyed, I appeal to our zealous Southwark Canonist himself whether the usual adjournment on evenings has not been from Ch——d's Coffee-house to the Queen's Arms Tavern at the west end of Paul's, where the thanksgiving supper for his deliverance was celebrated, with about twelve of his brethren, with plenty of wine and a concert of music?"—*Ibid.*, 50.

Another vice attributed to him—gambling—took an aggravating shape. "One assured an intimate friend of mine that he had played at cards with him often on a Sunday, and once as he was in the midst of his game, the clerk came to remind him of the service he was upon, and asked him if it were not time to get ready, for the people would be quickly coming to church. 'Why, you fool,' said he, 'my sermon is already cut and dry'd.'"—*Ibid.*, 30.

¹ The passages in the preceding note are taken from "The Modern Fanatick, with a Large and True Account of the Life, Actions, Endowments, &c., of the famous Dr Sa[cheverell]. 'Veritas magna est, et prevalebit.' By William Bisset, Eldest Brother of the Collegiate Church of St Katherine, and Rector of Whiston in Northamptonshire. London, 1710." "The Modern Fanatick, Part II., containing what is necessary to clear all the Matters of Fact in the First Part, and to confute what has been printed in the pretended Vindication of Dr

his pamphlets reveal of him as a man of wayward character and eccentric habits, occasionally making the world acquainted, in a very candid way, with "a bit of his mind." He was a great champion of the societies for the reformation of manners. This alone indicated a leaning to Low Church and Puritanism, since the societies were severely lashed by Sacheverell and other High Churchmen.¹ It is

Sacheverell relating to Myself; being the first Book that ever was answered before it was made, with a Postscript on that Account." By the Same. 1710.

A fellow-Oxonian was so polite as to draw up a syllabus of the accusations against Sacheverell, and to send it to him through the public press, with certain comments—

"I. Of being rude to your uncle, and disowning him for a relation; and ungrateful to your benefactors, especially to the family which bred you up from an orphan.

"II. With affection to Popery, with pride, vainglory, hatred, malice, and uncharitableness to your mother.

"III. With ignorance and impudence, in being guilty of false grammar in the very title of your two celebrated sermons, and pretending to more Latin than the bishop who ordained you.

"IV. With enmity to the Revolution and the Hanover succession.

"V. With profaneness.

"VI. With unchristian imprecations.

"VII. With very foul dealing.

"VIII. With great immodesty.

"IX. With drunkenness.

"X. With gaming, and that, too, on Sunday.

"XI. With great and inexcusable unfaithfulness in the execution of your office.

"XII. With notorious falsehoods, both in doctrine and fact, as also with forgery."

The abrupt conclusion, with its weighty accusations, looks like a desire not to show disrespect to the number twelve.

¹ Bisset's most popular effort was, "Plain English: A Sermon preached at St Mary-le-Bow, on Monday, March 27, 1704, for the Societies for Reformation of Manners." This passed through several editions. The English of it is sometimes so plain that in the present day it would be called foul; and yet the book is not a good exposition of the vices and frailties of the day. It exhausts itself in the vague denunciation that is apt to possess clergymen when they deal with the sins of the age,—and

to be regretted that we know so little about Bisset, since his works, though entirely controversial, give us curious and often clever sketches of the manners of the age. He was one of the large class of men who, after a noisy existence and a large share of popular notoriety, drop out of the records of fame and are forgotten.¹

In this country, at the present day, it would be said that one charged so broadly with scandalous misconduct as Sacheverell was, should have appealed

we would like to know what these sins were. The sermon brings us to a text whence we might expect to find him passing into detail. Such is the following, which leads to nothing:—

"There are two strong citadels that still hold out against you,—I mean those two famous academies of hell—those nurseries of all vice, those incorrigible brothels—the two play-houses, where Satan's seat is, where he keeps his headquarters."—P. 19.

¹ There are some scanty notices of Bisset in Nichol's 'Literary Anecdotes.' The name does not occur in any edition of the *Bibliotheca of Lowndes*. It is discreditable to our works of biographical reference that, with many others of a like character, Bisset's name does not appear in the usual English biographical dictionaries until it was picked up by the French. See the Supplement to the 'Biographie Universelle' and the 'Nouvelle Biographie Générale.' Bisset, in his 'Modern Fanatick,' affords us some autobiographical glimpses; but they bear too closely on the occasion prompting him to lift his testimony and participate in its excitements. "I have lived as in a seat of war or an enemy's country—nay, among generous and honourable enemies, I doubt not, to have met with much fairer quarter. Besides the danger my person, family, and goods were in during the late rebellion, which were plentifully threatened, I have since that been mobbed,—that is, insulted in the open streets with the foulest language by mere strangers,—for cavils of acquaintance I do not take into account,—times without number. The same day that the news of taking Douay came to the town—for any success of the allies constantly enrages them—I was insulted four times between my home and the Exchange. Once a couple of blustering blades bade the people again and again despatch me by throwing me into the Thames. And I have been informed that three armed ruffians have been inquiring for me, and hovering about to waylay me. . . . I matter all I have in the world, and my life too, no more than the paring of my nails in the cause of insulted religion, truth, and British liberty—all which are directly struck at—and

to a court of law for redress and the vindication of his character. If he failed to do so, it would be said that he dared not let his life be investigated and laid before twelve honest men for their judgment. But in that age it was different. The parties to the contest seem to have partaken of the nature of those who would rather accept a torrent of vituperation and repay it with interest, than court the intervention and protection of the official preservers of the peace. Foremost among the champions of Sacheverell comes Dr William King, a man who, in an age less intellectually prolific, would have held a high place as a scholar and as a wit. He came straight up to the attack, and dealt his blows right in the enemy's face. He was an intellectual warrior, fierce and skilful; and through him the words of the defenders of Sacheverell were stronger than the words of his assailants. The vices are retorted with a comprehensive brevity.¹ The unkindness to poor relations

could suffer the last extremity as acceptably, I doubt not, to God, and as comfortably to myself, under High Church tyranny as under Nero or Diocletian; for their malignity is not less and their hypocrisy greater."—P. 5.

Bisset shows the same predilection for martyrdom in his "Plain English":—

"Come! God will not be mocked, and truth must be spoken where it is concerned—for as to State matters I ne'er trouble my head—and shall be spoken while I have a tongue, though all the devils in hell and incarnate conspire to stifle it,—nay, though I were sure to be cudgelled or Coventried, or have my throat cut the next hour. I'll go one step further"—and so he goes to France and King Louis, in a confused parenthesis resolving itself into his consent—"to be broken upon the wheel; and who knows how soon I may fall into his hands? For there are many amongst us who would sell their prince, their country, their Church, their souls—these they'd sell for sixpence, for they don't believe they have any—to bring his iron yoke upon our necks."—P. 55.

¹ "His conversation is impudent, reviling, unhandsomely reproving.

is retaliated in Bisset's harsh usage of a virtuous but impoverished sister; and an exquisite touch of bitterness is given to the retaliation by the addition that she provoked his wrath by reproving his profligacy. Then, in his tracts, Bisset is found to have let loose on the world some eccentricities that might indicate unsteadiness of intellect; and the application of a touch of high colouring makes them indicate an idiot and a madman combined.¹

The two antagonists were very unequally matched. King was not only the stronger of the two, but he had the volatile powers of the light horseman who can evade the adversary's blow and select the moment for inflicting his own upon his grave and earnest adversary, who complains of having insufficient data for ascertaining "when he is in jest and when in earnest; what he would have to pass for romance, and what for reality." King was an habitual mystifier, and his efforts in that school of literature ought

The poison of asps is under his tongue, and he shoots out his arrows, even bitter words, which he learned from the sailors at St Katherine's. In his morals he is lewd, sensual, devilish, even to assaulting women at noonday and in his gown."—A Vindication of the Rev. Dr Henry Sacheverell from the False, Scandalous, and Malicious Aspersions cast upon him in a late infamous Pamphlet entitled 'The Modern Fanatick.'—P. 6.

¹ "An Account of Dr Sacheverell's Life, &c., wrote by the Poor Madman B[isset] of St Katherine's." The character of the man is so contemptible that I wonder your party should choose such a miscreant for their champion. It is a certain sign you are sinking when you catch at such broken reeds for help and support. I know the abilities of the man to be so despicably weak; his incapacities, even in his most lucid intervals, are so known and open that nothing but infatuation could have driven you to that choice. The impeachment and this are the first-rate party stupidities of your faction; for every porter has you in ridicule, and answers the whole book with this decisive, 'It is done by poor Bisset, the Plain English madman.'—Ibid., 3.

to derive an interest from the very fact that overshadowed him and left him in obscurity—the rise of Swift as a greater master in the same class of art. King was four years the elder of the two, and his 'Journey to London' was published in 1698, before Swift had begun to perplex and astonish the world. It must not be said that Swift was his imitator, but in schools of intellectual exertion we can often point to some steps upwards taken by others before the top is reached by him for whom it is reserved. His life was more restless and wayward than Swift's, and his conduct less moral. His Toryism and High Church ecclesiastical politics were vehement but not very earnest.¹

King was one of those whose souls abhor all kinds of steady work, but he was a popular good fellow

¹ He says of himself: "I love to read what the Tories write, and to hear what they speak; I meet them at home and abroad, and very often Dr Sacheverell is one of them. I think as they think, and do generally as they do; and I fancy if you inquire fancifully and very maliciously, you may find from the day of my birth till now, that I have not kept myself without sin. It may be that I have robbed an orchard, and disobeyed my master at school, quarrelled with the college cook, scolded furiously at my laundress, and taken a degree too. If you should in your walks hear anything of this nature, be so kind as to keep it secret; for I am related to a great man in the holy society for the reformation of manners, who I know in his will has left me two of Oliver's shillings and a great silver calf's head, with the works of the learned Bunyan, the devout Baxter, and that admirable polemical divine Ben Hoadley,—all which I shall certainly lose if he hears from you, whose veracity he very much confides in, that I have been such a profligate liver—egg and bird."

"St Austin after his age looked back with another guise view on the same transgression; he did not think the breach of the eighth commandment a jesting matter, but gives it a large place in his confessions, and makes very severe reflections thereon. This author seems of the profane pope's mind, that wondered why God should be so angry with mankind for an apple or two."—The Modern Fanatick, Part II., Preface.

who must be provided for. His influence went high up at Court, for he wrote a vindication of the Court of Denmark against Molesworth's censures, and secured the patronage of Prince George of Denmark. He was sent to Ireland—the part of the empire where those who were not bound to any other part by strong social ties could be most easily provided for. He had taken a degree as doctor in civil law, and this qualified him to be appointed "Judge of the Admiralty, Commissioner of the Prizes, Keeper of the Records in Birmingham Tower, and Vicar-General to Dr Marsh, the Primate."¹

The world is sometimes amused by stories of how persons of this easy, thoughtless, dissipated character, personate grave and reverend seigniors, creating misgivings and perplexities until a solution brings laughter at the grotesqueness of the whole. King was placed occasionally in this position by conditions not of his own making, except by the act of going to Ireland. There was another William King there—the Archbishop of Dublin—the grave author of the work on the Origin of Sin. The pleasures and pains of confounding these with each other were not equally divided, and as the Judge of the Admiralty had more of the enjoyable share, he was not so zealous as the prelate in rectifying the mistake. He acted a designed mystification on poor Bisset, by anticipating the defence he was to make of himself and critically demolishing it. When the second part of 'The Modern Fanatick' did appear, its author mumbled out his griefs about this unfair dealing, saying, "But of all his follies, none is so horrid and inex-

¹ Johnson's *Lives of the Poets* (1781), ii. 274.

cusable as the putting that text of Scripture in the title-page from Psalm cxxxix. 2 ('Thou knowest my down-sitting and mine up-rising, Thou understandest my thought afar off'), which he manifestly, impiously, and, I may say, blasphemously, refers to himself, as knowing my thoughts before I knew them all myself." Bisset of course denies the crimes and frailties laid to his charge, and indeed he uses so much of his "plain English" in announcing the vices to which he is not addicted, that in these days his defence would be banished from the tables of the sincere friends of virtue to whom he appeals. He produces written testimony here and there. His sister denies, under her signature, the story that she suffered ill-usage at his hands, or that she had to rebuke him for profligacy. He had been charged with the purchase of a coach never paid for by him, and he produces the coachmaker's receipt for the price. It is not likely that this solemn sincerity would have much influence on a man of William King's nature.

I have here endeavoured to draw out of a huge controversy, some characteristics that may reveal its nature without throwing too much of its tiresome monotony on the reader. If it be found that there is not much entertainment to be got out of the part borne by King, Bisset, Hoadley, and Blackall, we can expect less from the crowd of inferior spirits who were constrained by a sort of literary epidemic to burst into the conflict. The portion of it that centres round the two first principles set in contest—the right of resistance and passive obedience—soon becomes very wearisome.¹ But it would be wrong to

¹ Controversies about the divine right of sovereigns to reign, of

leave this literary heap behind without noting that the student of history and the British constitution will find in it matter of value. With the exception of a few professed wits like King, all who joined in the controversy were deeply in earnest, and they ran-

clergy to draw tithes, of apostolic succession in the prelacy, or the like, are apt to get into uniform circular grooves, where they roll on heavily unless some personality drives them furiously off at a tangent. Hence it is refreshing to find occasionally the essence of much prosing stated smartly and practically. As for instance—

“That which gave me most trouble in all our bickerings was that obstinate, vexatious citation of the thirteenth chapter to the Romans, which was thrown at my head on all occasions. I could not mention the Revolution, King William, the House of Commons, liberty of the subject, nor anything like them, but presently I was desired to look into the thirteenth chapter to the Romans.”

“All governments have the same authority, but differ in the exercise and administration of it. The thirteenth chapter to the Romans is therefore a much quieter chapter than most people imagine. It changed no government. It settled none unalterably. It made no freemen slaves—it made no slaves freemen. It left every nation to be governed by its own laws, and if they could mend these laws they might, and if they should part with them for worse it did not forbid them doing so. It bids every soul be subject to the higher powers, but it does not tell us what those higher powers are.”

“I entreat you not to abuse the Word of God; not to traduce St Paul; not to speak evil of the Christian doctrines, as though these did not only basely favour, but encourage and command the slavery of the subject and the prince's arbitrary command, if he should please to assume it. Let the Scriptures alone, and make not them subservient to the base and villanous designs of wicked men, that would enthrall their country.”

“It is not to be proved with any certainty in whose reign or at what time the Epistle to the Romans was written. But let the passive doctors take it for granted that it was written when Nero reigned, and—if they like it the better for that—just when he caused the city of Rome to be set on fire, and strung his harp on that occasion; or when he gave his orders out to have his mother killed; or in what fit of enormous wickedness they please to place him: what, I would know, is all this to the other parts of the world, who were governed by milder princes and lived under laws both just and merciful?”—The Thirteenth Chapter to the Romans vindicated from Abusive Senses put upon it. Written by a Curate of Salop. London: printed for A. Baldwin. 1710. Price Two-pence.

sacked all the learning at their command in support of their adopted cause. It could not be but that in such a process the hidden features of the British constitution should be dragged into a full blaze of light.

In this motley controversy, as in the decorous debates of the impeachment, Jacobitism has no place. No one ventures even a hint that the relief from all difficulties and dangers is to call the old Stewarts back again. So cautiously, indeed, did all avoid this dangerous topic, that it is rare to find even a taunt against any of Sacheverell's party that their conduct might favour the hopes of the exiled house. In the host of pamphlets, I can recall but one professing to implicate Sacheverell with the Jacobite cause, and this one is so superlatively overladen with burlesqueness, that its author might fairly have rescued it from all accusation of serious imputation.¹

¹ “Instructions from Rome in favour of the Pretender, inscribed to the most elevated Don Sacheverellio, and his brother Don Higginisco, and which all Perkinites, Nonjurors, Highflyers, Popish desirers, Wooden-shoe Admirers, and Absolute Non-resistance Drivers, are obliged to pursue and maintain (under pain of his Unholiness's damnation) in order to Carry on their intended Subversion of a Government founded on Revolution principles. 1710.” This trifle of fourteen small pages is attributed to Defoe, but apparently on no better ground than that everything in that period rising above a certain parallel of wit, and abetting Low Church and Whig principles, is due to his reputation. (See Wilson, iii. 112, Lect. I. 165). The following short passages are offered as fair specimens of the writer's powers, whoever he may have been:—

“Let your deportment be complaisant even to servile flattery. Court your very enemies with the most obliging language and protestations of kindness. Kiss those hands you would cut off, and hug him you cannot hang—at least until you can. Still fashion yourselves to the humour of the present company as the light is round the sun in the fire pyramidal. If any recommend liberty of conscience, insinuate further—as you have done already—that the Church is under persecution, and that the Dissenters are undermining the pillars thereof;

The fugitive literature of the great Sacheverell crisis is not limited to prose. It enjoys an anthology of its own kind—it is set to rhyme and somewhat to metre; but in all the life and spirit that should inspire whatever rises to the dignity of poetry, serious or comic, it is more prosaic than the prose portion of the controversy. Surely such a garland of withered weeds was never hung on any favoured shrine! And yet it may be said that there must have been earnestness and enthusiasm where people so totally incapable of touching the lyre took it in hand, and practised on it resolutely and vehemently. Those who desire to study the capacity of the English language to be ranged into irredeemable doggerel may with profit study this collection.¹

that the Church will never be safe so long as the Toleration Act is in force—as indeed the Church of Rome will not.”

“A miracle now and then may do well amongst the vulgar—but cautiously; ’tis a subtle, eagle-eyed age. Be sure, therefore, prepare your counterfeit that is to be possessed very well, and carry your hand and invisible juggling ware clearly.”

¹ “A Collection of Poems for and against Dr Sacheverell. London, 1710.” One specimen of these has already been given (see p. 193)—I here select a few more. They are taken from what appears to me to be the smartest, or the least doleful, efforts of the collection, so that I do not think it likely that any higher strains can be revealed by other investigators.

“A Late Dialogue between Dr Burgess and Daniel Defoe, in a Cider Cellar near Billingsgate, concerning the Times” :—

“Quoth Daniel the Doctor to Daniel Defoe,
I pray, brother, tell me how matters do go,
And which gets the better—the high or the low.

Dan. In truth I can’t tell, but fearfully doubt
The devil will have it,—we all must turn out.
One friend we have lost that stuck closely to us,
And the fatal remove may help to undo us.

Dr. Avert it, good heaven! for what will become on’s
If the heads of our party be brought to the summons—
If a Parliament high should fall to impeaching?

Dan. Then farewell short clockes and extempore preaching.

There remains yet one scene ere the curtain drops on the drama of the Sacheverell crisis—the trials for high treason. These were true to the motley spirit of the other parts, if they did not even enhance it. The world was warned, by all solemn preparations, of a bloody end that was to make a tragedy of the whole, when, as by the touch of an enchanter’s wand, it was suddenly changed into an egregious farce.

Thy neck and mine, Doctor, must come to the stretch,
And for opposing of Jack *Dan* be punished by Ketch.
No more calves’ head clubs shall meet at the proctor’s,
No more sequestration nor roasting of doctors.
I confess ’twas a very untowardly hit
That twenty such cooks should be beat with the spit,” &c.

The next fragment is taken from the other side—“The Wolfe stripped of his Shephard’s Clothing. Addressed to Dr Sacheverell by a Salopian Gentleman” :—

“Of all the jolly sights the town has shown,
Of foreign apes and drolls—and of her own,
Of filtered bullies or of hatless beaus,
With all the civet train of furbelows, &c.,
Unjointed vaulters, kickshaws, jack-a-Lents,
Produced in streets, in taverns, or in tents,—
There’s none admired in all the loyal list
As is the buttered or the non-resisting priest.
A shepherd he, until he understood
The only fattening food was flesh and blood.
By these the wolf to mighty bulk increased,
And his lean chaps grew watery at the feast,
In gormandising guts the greater beast.
No more the fleece shall for the flesh atone,
And Pan shall keep the harmless sheep alone,—
The harmless sheep, that only wish to share
The common benefits of vital air,
To feed and sport on Ida’s flow’ry plain,
Refresh’d by heav’n’s own bounties, sun and rain,—
At noon to cool at some refreshing spring,
And sweetly join great Pan’s just praise to sing,—
Great Pan, whose watchful care at once did keep
Th’ unspotted lambs and the unguarded sheep,
Who yield their fleeces and their lives, to boot,
When their just Pan shall call ’em forth to do’t.”

One can see that this contributor to the Sacheverellian anthology had taste enough to admire Dryden’s poem of “The Hynde and the Panther.”

The great lawyers took possession of the affair for the purpose of making out of it a grand precedent in the law of high treason. The persons to be tried were three of the rioters who had wrecked the meeting-houses. The opportunity was deemed a good one for distinctly commemorating, in a practical shape, the subtle definition of Coke: "If any levy war, to expulse strangers, to deliver men out of prisons, to remove counsellors, or against any statute, or to any other end, pretending reformation of their own heads, without warrant, this is a levying of war against the king, because they take on them royal authority, which is against the king. There is a diversity between the levying of war and the committing of a great riot, or rout, or an unlawful assembly. For example, as if three or four or more do rise to burn or put down an inclosure in Dale, which the lord of the manor of Dale hath made there and in that particular place, this, or the like, is a riot, a rout, or an unlawful assembly, and no treason. But if they had risen of purpose to alter religion established within the realm, or laws, or to go from town to town generally, and to cast down inclosures, this is a levying of war."

The distinction is put with the exquisite exactness of its accomplished author; but it hardly tended to commend it for use on this occasion, that it had been applied to a charge for combining to put down all brothels. Here was a combination to destroy all meeting-houses. Meeting-houses were tolerated by law. Dissenters were tolerated by law. There were people in the country who thought it desirable that Dissenters should not be tolerated, and that meetings

should not exist; but such persons must leave it to the sovereign, with the advice and consent of the two Houses of Parliament, to settle such questions by legislation,—and to take the matter into their own hands, by the destruction of meeting-houses, was a levying of war against the sovereign. Had the mob, after wrecking Burgess's meeting-house, next assailed the Deanery of Westminster or Lambeth Palace, there would not have been the logical aggregation necessary for constituting high treason. But the natural solution of the whole difficulty might have lain in a practice familiar in the present day where there is a lower crime included within the higher, and prosecuted to the conclusion of punishment as more appropriate to the actual guilt. On such a practice the riot would have been punished, in this case leaving the treason to its full logical command of the theory.

As it was, we find Daniel Dammaree was charged "by force and arms against our said sovereign lady the queen," with a multitude of men "armed and arrayed in a warlike manner—that is to say, with colours flying, swords, clubs, and other weapons, as well offensive as defensive, unlawfully and traitorously being assembled together, public war against our said lady the queen, and traitorously did prepare, begin, and levy." To the solemn question, "How say you, Daniel Dammaree? are you guilty of the high treason for which you have been indicted and are now arraigned, or not guilty?" the answer was, "My lord, I was so much in liquor that I did not know what I did." He was not probably aware of the practical sarcasm he thus threw on the great

distinction of the sage of the common law; for the evidence showed that the quantity of liquor imbibed by him was the chief if not sole inspirer of his exertions for a comprehensive extinction of meeting-houses. The absurdity of the whole affair seems to have been felt by the great lawyers who managed it; for on the Attorney-General saying, "Admitting he was drunk to that degree, they would have it that is no excuse for his crime," the Lord Chief-Justice said, "It is almost necessary that when a man goes upon such actions he should be in drink; and I do not know but a little more drink might have carried him to St James's to pull that down." Another feature in this trial, in harmony with the steady hard drinking attested by the witness, is the abundant extent to which the report of the testimony is strewn with the popular form of individual excommunication—"God damn you!" This venerable denunciation came into use among our natural enemies as a definition of the Englishman since its application by the Maid of Orleans. The report of the trial of Dammaree shows that, since his day, like many other curious institutions, it has undergone decay. The nominative, that constitutes the most irreverent element, is generally omitted, and sometimes the accusative; so that it has become little more than an expression of petulant impatience.

Having thus seen the crisis of the Sacheverell impeachment to its ostensible conclusion, it would be satisfactory if we could balance the gains against the losses on two separate estimates; the one, in the interests of the ministry and their friends, who promoted the impeachment—the other, in the interests

of the nation, as touching the security of the Hanover succession. On the one account there is a distinct loss of popularity to the Whig party, or, to put it with more precision, they were afflicted with unpopularity; and the affair was perhaps the most potent among several causes concurring to drive their party from office. The other estimate must be less distinct. We cannot say that if the Sacheverell crisis had not come the great event of the succession would have been other than it was; but it cannot be doubted that the grand debate, both in Parliament and the press, had the effect of demonstrating that England at least was sound in loyalty to the settlement in the house of Hanover.

The grand mistake for which the Whigs suffered was the selection of a clergyman for their victim. It is the mistake that has over and over been committed by the civil authorities of states, from the two leading instances of Hildebrand and Becket downwards. It is the mistake of those who fight in the dark, and are unconscious of the strength of their enemy. The affair roused up into active exertion a quiet but deeply-seated attachment to the Church of England. The existence of this attachment had perhaps been little known at Court; for it was among the squires, the burgesses, and the peasantry that it had its vital force. It grew out of the reaction of the Restoration against the wild extremes of the time of anarchy, followed by the Puritanic despotism of the Protectorate; and this reaction was moulded by the Revolution so that it should abide as Protestant Episcopacy. Hence it was a separate institution, alien from Puritanism on the one side and Romanism

on the other. That its strength and consistency were unknown at Court until it was roused to action was no doubt due to a peculiarity deeply lamented as a defect—the Church of England's incapacity to show its strength in a concentrated representative body. Cromwell saw the aptness of such bodies to rival, or, at least, to disturb, the power of the State; and he closed their doors throughout the British dominions. His successors tacitly profited by the lesson, and kept a pressure on the Convocation, closing it entirely when it threatened to become mischievous. It has been often justly remarked that this stripping it of representative power was the salvation of the Church of England, since such a power, if dangerous to a State, is still more dangerous to the Church possessing it, especially when it is, like the General Assembly in Scotland, the central power of a popular hierarchy, with a local sub-organisation of Synods, Presbyteries, and Kirk-sessions. When great questions arise in such bodies they aggregate into hostile camps, and end in the stronger crushing the weaker; the majority driving forth the minority.

Not owning such a powerful organisation for keeping its strength in constant action, the latent power of the Church appeared when a panic fear was shot through it by the impeachment. But in all their rage and fear, the High Churchmen of England showed no symptoms of seeking relief in Jacobitism. In Scotland, a small knot of Episcopalian lairds had endeavoured to form a connection with the loyal Church of England. Otherwise, all men of that denomination in Scotland were thorough Jacobites—

it was the alternative forced on them by the domination of the Presbyterian Establishment. Had there been any fear lest this leaven of Jacobitism might have penetrated into England, the form taken by the excitement of the champions of the Church dispelled it.¹

It is a strange conclusion to the enthusiastic championship of Sacheverell in his day, that he stands alone among the objects of great popular contests, as one who has had no historical vindicator. Whatever may be said of the folly, the tyranny, or the dishonesty of his opponents, no one has a good word to say for Sacheverell himself. Nay, he gets wounded in the assault on his enemies; for a chief characteristic in their offences is that they should have made war on a creature so despicable. This view of his character and position is perhaps the reason why there

¹ Lord Dartmouth, in a note to Burnet's History, says: "In the time of the trial, the Earl of Godolphin asked me if I did not think they had all gone mad, to fall foul upon the doctrine of the Church of England as well as the doctor. I said I supposed they would not trouble themselves with one but to have a fling at the other. He said, 'Well, things must be worse before they can be better,' and so parted without any further information of his mysterious sentence. But I knew neither the doctor nor the doctrine had been called in question, if the word *Volpone* had been left out of his sermon, which was too hard and significant a word to be passed over—in a sermon preached before the Lord Mayor and city of London—with impunity."—Edition 1823, v. 429.

Archdeacon Coxe says: "It may not, perhaps, in this place be improper to observe that the fatal and mischievous consequences which resulted from the trial of Sacheverell, had a permanent effect on the future conduct of Walpole when he was afterwards placed at the head of the Administration. It infused into him an aversion and horror at any interposition in the affairs of the Church, and led him to assume occasionally a line of conduct which appeared to militate against those principles of general toleration to which he was naturally inclined."—Mem. of Sir R. Walpole, 4to, i. 23.

seems to have been a reluctance to open up the question, by a search through the rich and curious materials left in the impeachment and the controversy. The story as it was originally told by Burnet and Tindal has been repeated over and over. And yet writers who have thus carelessly dealt in it, have attributed to Sacheverell alone the great events of the later years of Queen Anne's reign—events produced by operative causes of which the Sacheverell affair was a mere superficial phenomenon.¹

The Sacheverell commotions were not entirely concluded by the judgment of the Lords. The great debate aroused echoes in the corporations and other local communities; and the country was not entirely quiet until these had exhausted themselves. The result of these provincial debates took the shape of addresses to the queen. The address of the county of Radnor, in great sessions, "presented by Robert Harley and Thomas Harley," lamented "the great mischiefs and manifold inconveniences that have for

¹ "To this one man was owing the change of the old ministry and consequently dissolution of the Grand Alliance; the peace of Utrecht; the ruinous and destructive South Sea scheme; the infamous bank contract; and innumerable other evils which it may not be so proper to mention. This wretch, therefore, was the distant cause of, and is chargeable with, the aggrandisement of the house of Bourbon, to the subversion of the balance of power, the loss of all the emperor's dominions in Italy, the settling Don Carlos on the throne of the Two Sicilies and the French in Corsica; to the ruin of our Levant trade, the Spanish depredations, and the too visible and daily increasing decay of our sugar colonies. We could dwell much longer on this melancholy subject, and extend the catalogue of the evils caused by him."—*The History of the Life and Reign of Queen Anne*, by Paul Chamberlen.

Yet other sage pundits in historical causation tell us that all these calamities became fixed in the decrees of fate at that moment when Abigail Hill was relieved from poverty by getting service as one of the queen's dressers.

some years last past, arose to your faithful subjects and the most pure Christian religion, happily established among us, from the many blasphemous, heretical, Jesuitical, atheistical, schismatical, and republican books and pamphlets, that have been industriously dispersed and encouraged."¹

The county of Worcester, in "general quarter sessions," expressed their detestation of "traitorous practices," and, more definitely, "the boldness of the attempt, in defiance of the justice of the nation, when the representative body of the Commons of Great Britain had charged our offenders with high crimes and misdemeanours before your Majesty in your highest court of judicature, as well as the turning of it, when the great disturber of Europe was treating for peace, having been humbled by the arms of your Majesty,"² and denounce the "tumultuous assemblies."

The county of Durham, in quarter sessions, protested against "men of antimonarchial principles, republicans, and the late advancers of the pernicious doctrine and duty of resistance to princes."³

Denunciations against the "Popish," and occasionally the "damnable, doctrine" that sovereigns can be deposed, and even murdered, by their subjects.

On the other hand, in several, the settlement of the throne "in the illustrious house of Hanover" is matter of congratulation.

Gentlemen of the county of Somerset, represented by Sir William Wyndham, maintain the Protestant

¹ A Collection of the Addresses which have been presented to the Queen since the Impeachment of the Reverend Dr Henry Sacheverell (Lond., 1711), p. 9.

² *Ibid.*, p. 8.

³ *Ibid.*, p. 11.

succession "as well against the Pretender and all his adherents abroad, as against all hypocritical pretenders to loyalty at home."¹

When all was over, there was a sense of security in the country having passed through a critical ordeal. Considerate men thought it would have been unwise to abolish the martyrdom ceremonials of the 30th of January, but felt that they gave tempting opportunities for High Churchmen, and politicians with a lingering loyalty to the house of Stewart, to become troublesome. The martyr's sufferings began in the contempt and denial of his royal crown and dignity; and a few subtle words could describe the commencement of these outrages in such terms as would apply closely to actors in the Revolution, and supporters of the Hanover succession. Those who had to extract from such tirades some distinct offensive treatment of the Revolution Settlement were apt to be perplexed by subtle distinctions. Thus, at the beginning of the queen's reign, there were censures on a sermon preached before the Lower House of Convocation, as commenting both on the crucifixion and on the royal martyrdom, in terms that might have an equivocal application to the treatment of the exiled king; while a book commenting on this and another 30th of January sermon, was denounced as "a malicious, villanous libel, containing very many reflections on King Charles I., of ever-blessed memory, and tending to the subversion of the monarchy," and so was ordered to be burnt by the hangman.²

¹ Ibid., p. 34.

² "Animadversion upon sermons on the 30th of January, ordered to be burnt by the hangman." "Dr Bincke's sermon censured."—Parl. Hist., vi. 22.

CHAPTER XIII.

The French Refugees.

DEFICIENCY OF NATIVE COMMANDERS BEFORE MARLBOROUGH—ATHLONE, THE SCHOMBERGS, AND GALWAY—RAPIN THE HISTORIAN—THE VALUE OF HIS OWN HISTORY AND THE IMPULSE IT GAVE TO TINDAL—CONDITIONS OF THE MATERIAL FOR THE HISTORY—ITS PLACE AMONG OUR HISTORIES—THE CONTRIBUTIONS OF THE REFUGEES TO OUR PRODUCTIVE INDUSTRIES—THE SILK MANUFACTURES—HISTORICAL CONDITIONS THAT HAD SEVERED THE BRITISH FROM THE SCHOOLS OF SKILLED INDUSTRY—NATIONAL ADVANTAGES OF THE INDUSTRIAL ACQUISITIONS—ACQUISITIONS THROUGH THE IMMEDIATE EXODUS OF THE CAMISARDS LESS VALUABLE—THE FRENCH PROPHETS AND THEIR ADVENTURES IN LONDON.

FRANCE was at this time, in the affair of the Camisards, shaken by commotions and contests, having in themselves, as they passed, no claim to a place in our present narrative. They had, however, in their ultimate results, a material influence on the destinies of the British empire, by contributing a new and valuable element to the population of these islands. And to enable us to estimate the nature and significance of this contribution, a few words of explanation as to the causes that sent them forth from their own country to seek refuge among our people and political institutions may be desirable.

A parallel has naturally been drawn between the pursuit of the Camisards in the Cevennes, and the trials of the Covenanters in Scotland in the seventeenth century. But the two historical passages, though externally they might have some resemblance to each other, were severed in spirit by fundamental dissimilarities in the political and religious spirit of the two communities.

The Covenanters of Scotland, as Calvinists, took the tone and manner of their religion from France. At the opening of our period the Edict of Nantes had been seventeen years repealed. This brings us to a generation of Scotsmen nourished in the tradition that France was the friend and England the enemy of their nation. The influence of Knox, the Melvilles, and other eminent scholars who drew their light from illustrious Frenchmen of the Huguenot persuasion, was yet strong; and through them the Presbyterian polity in Scotland grew up after the model of the Huguenot communities. The faith, the form of worship, and the ecclesiastical organisation were the same in both communities. But the parallel went no further. The peasantry of Lowland Scotland were not susceptible of the fervour that fed a fierce bigotry in the nature of the Huguenot of Languedoc. The same bitter intolerance was professed but not practised by both, and thus any parallel between the wild tragic history of the Camisards and the brief struggle of the Covenanters, ending with the Revolution, is of no avail for clearing up the history of either. The religious institution of France, indeed, under the Edict of Nantes, involved conditions unexampled and not easily realised to the mind in our

country. There was no toleration on either side, and it may be questioned whether the Romanist in Paris or the Huguenot in Languedoc was the more intolerant; and against the latter it could be argued that in France the further south we look we come to hotter blood and fiercer passions, whether spiritual or material. There was in one event in Scotland—the murder of Archbishop Sharpe—an act only too much akin to the sanguinary career of the Camisards; but when, at the Revolution, the Covenanters had the upper hand of their enemies, they showed a moderation never exemplified in French revolutions.¹

Occasionally during the war a question arose whether it would be a wise policy to send an auxiliary force to aid the Camisards, or any of the bodies, whether under that or any other name, standing forth in insurrection against the supreme power. The intolerance of King Louis had none of the spiritual palliations of bigotry. The gentlest among the in-

¹ The ferocious intolerance of the French Huguenots prompted an Englishman to glean from their wild annals some sanguinary instances fit to balance those in John Foxe's renowned 'Acts and Monuments of these Latter and Perilous Days, touching Matters of the Church, wherein are Comprehended and Described the great Persecutions and horrible Troubles that have been Wrought and Practised by the Romish Priests.' In 1587, within two years after the publication of Foxe's book, there appeared 'Theatrum crudelitatum Hæreticorum nostri temporis,' by Richard Versetegan, better known in his genial book called 'The Restitution of Decayed Intelligence.' So far as his cruelties are represented by art, they exceed in power the well-known woodcuts that grace Foxe's book. But the instances are all found among the feats of the French Huguenots, with the exception of the execution of Mary Queen of Scots; a very perilous instance, since to bring her case within the category of persecution for religion, it would be necessary that the deeds for which she suffered should have been owned and vindicated by her Church. It was perhaps to supply the deficiencies in Versetegan's retaliation on Foxe, that in a French translation instances were added from England in the reign of Henry VIII.

fluences stimulating him was that of the remarkable woman who was ecclesiastically a saint, politically a prime minister, and domestically a concubine. But she infused none of her bigotry into the nature of the lord she ruled, and he had no better motive for acting the fanatic and the persecutor, than the tyrant's self-supremacy determining that all minds shall bend to his will, whether in things temporal or in things eternal.

Still, assistance to a community in insurrection against a constituted government is not an alliance to be courted, though in this instance the temptations were strong. The constituted authority had committed usurpation when it took from its subjects the protection they had obtained by a treaty. Their king had especially divested himself of the benefit of the plea, since he was ever on the watch to aid any effective insurrection by the Jacobites in Britain; and though he might say that in this he was furthering instead of assailing legitimate authority, the saying would occasion more provocation than assent. There was one satisfactory reason why auxiliary troops were not sent in aid of the Protestant insurgents of France, that they could not be spared from other departments of the war. There came, however, at one period, an aspect of the war suggesting that a descent on France from the Mediterranean side might be a politic step; and among the probabilities of its success, vicinity to the field of contest was doubtless an element. It was determined that Toulon should be besieged. Early in June 1707, Sir Cloudesley Shovel and Sir George Rooke had under their command forty-three men-

of-war and fifty-seven transports—these were for the conveyance of the land-force to be commanded by Prince Eugene. The town, at the head of a deep bay or estuary, was profusely fortified towards the water, a strong citadel standing at the head of the bay. On such fortifications the method of bombardment, according to the science of the time, played idly. It appears, indeed, that the fleet could not hold its own under the guns of the citadel, and had to seek a less exposed position in the river Vaar.¹ It was impossible that a sea-force could have effect further than in co-operation with a land-force; and communications were established for such co-operation had the land-force sufficed for the ambitious objects of the expedition. It was said that Prince Eugene was short of his complement of 8000, expected from Austria, but detained on account of some suspicious movements by the King of Sweden. The land-force, such as it was, had ample supplies of ammunition and siege equipments from the British transports. The sea and land force, wasting time and ammunition on menaces and ineffective attacks, abandoned the enterprise on the 22d of August.² The attempt proved, after it had

¹ "Whereas the army and H.R.H. the Duke of Savoy and Prince Eugene is marched from before Toulon to Frejus and the Vaar, and our bombardment by sea having been continued to this morning, by which time the enemy had brought guns upon the shore and much damaged the war-vessels, which has made it impossible to continue the bombardment; and H.R.H. having likewise desired the fleet to accompany the army to the Vaar,—it is unanimously agreed that we proceed with the confederate fleet to that place."—Sir Cloudesley Shovel, and Council of War, Aug. 11, 1707; Brit. Mus. MS., 28134, f. 8.

² Martin, *Hist. de France*, xiv. 479 *et seq.*; Rapin and Tindal, iii. 26—here there is an ample engraved plan of the town of Toulon, with its harbour and fortifications; *Lives of the Admirals*, iii. 1.

been abandoned, the cause of a heavy and mournful loss to the British navy. On the way home, part of the fleet, including the admiral's ship, got entangled and wrecked on the rocks called the Bishop and his Clerks, and Sir Cloudesley Shovel was seen no more.

In the summer of 1710, a British fleet, containing a force contributed from the allies, entered the Mediterranean, and appeared before Cette in Languedoc. It was believed that, if it succeeded in effecting a landing, there would have been negotiations with the Camisards; but the fortifications of Cette were seen to be far too strong to be taken.¹ Such is the account in the chronological histories, but it appears from a report by Sir John Norris that there had been some partial successes before the abandonment:—

“On the 13th [July 1710] we arrived on the coast of Cette in Languedoc, and that night we disembarked the troops, with General Swiffen, about a league from the town of Cette, and marched the 14th at break of day to the said town, and appointed ships for the battering the fort on the mole-head of Cette. As soon as the troops came to the town, the inhabitants took to the church, and after a small fire passing between them, in which four Englishmen were wounded and some of the inhabitants, they surrendered the town; after which the fort upon the mole, which had in it eighteen cannon, followed their example and surrendered.”²

The influence of the Camisard troubles in this country was to be not in foreign alliance and par-

¹ Salmon: *The Chronological Historian*, 304.

² Brit. Mus. MSS., 28142, f. 37.

ticipation, but in the new element brought by it into our own country, as the home of French refugees. Generations have passed since the influx began, with the result of proving that the British empire made great gain by the misfortunes that drove crowds to accept of our hospitality. It has provided a large practical example, for a study of what is taught to us in the diffusion and mixture of populations. Parallel with the great example furnished in the origin and progress of the United States of America, it has shown us that refugees for conscience' sake ingraft upon an average population a race influenced by motives higher than the average stimulants of human conduct, and therefore, likely to be all the more valuable as citizens.

It was well for the stability and progress of the United States that they had a fundamental population of the descendants of those who had fled across the Atlantic for freedom, religious or political, before they absorbed their large accessions from the lower grade of people who, naturally of the humbler order of class and spirit, feel themselves dropping their hold on a respectable position even in that obscure sphere, and trust to emigration for the recovery of their original humble position, and no more.

It has to be kept in view as a social phenomenon, attested by abundant facts, that refugees arriving at the country of their adoption, do not become at once valuable citizens. It is when those who have fled in youth have reached mature years—but more frequently it is in the descendants of those who have changed the land of their abode—that the value of the race comes to be practically felt in the land of adop-

tion. It is not significant of a high tone of feeling in the exile that, Coriolanus-like, he turns at once on his ungrateful and unappreciating country, and tries to retaliate on it, if not with a mortal stab, at least with tokens that indicate more resentment than sympathy or sorrow. It is necessary to keep this distinction in view in dealing with our limited period of history, because we find during that period the descendants of refugees who had rooted themselves in the social soil of the country, while others are yet coming over; and while the country is reaping usefulness and honour from the descendants of earlier settlers, the new-comers are found indulging in the fantastic tricks that made the "French prophets" one of the scandals of their day.

There was at this period a prevalent opinion that Britain had become dangerously pacific—was settling down into lethargy, and might be lost in the next dangerous crisis. There existed in abundance the physical material of an army. The country never had been, in comparison with others, so rich. It was even suffering from some of the disturbing elements of surplus capital. But in the age of peace and security there had been no opportunity for developing military commanders fitted for a possible trial of strength. It was, as an illustrious commander of later times put the conditions of the situation,—“If sixty thousand troops should be got into Hyde Park, where is the man who could take them out again?” And this was in the face of a great aggrandising military power gradually conquering Europe. The desperate condition justified a desperate remedy, and foreign generals must be trusted to lead our troops. The

crisis had passed over at the commencement of our period, for we had found Marlborough. He, however, was a gift fortunately dropped in our way at the hour of need by the national conditions that had made leaders for the rest of Europe. He had been trained in the greatest warlike school that the world had then seen—in the armies of King Louis, under the teaching and the practice of the great Turenne.

It is to be regretted that we have not more full information about the youth of Churchill. He held a commission in the auxiliary force of 6000 men under Monmouth to assist King Louis in the war against the Dutch. They were our naval rivals, and as France was driving them from their cities on the land, there was an opportunity for England to help in prostrating the power capable of sending a rival navy to sea. It was thus his destiny to assist in the seizure of those fortresses on the Rhine and the Maas, afterwards retaken by him, as we have seen. At the siege of Maastricht by the French, he took part in a desperate passage of personal conflict in the taking, losing, and retaking of a lodgment in a battery. In this affair he was wounded; but it was also his fortune to be solemnly thanked at Court for saving the life of his commander, the Duke of Monmouth. In this service, in 1674, he reached the rank of colonel, vacant by the resignation of another Englishman, Peterborough. Thus in this war were trained, to such share of command as their youth permitted, the two great leaders of our troops in the great war of our period. It will be noted that when the result of their training in the same school matured itself in the command of armies, it would be difficult to find in all

military history a greater contrast. If Marlborough brought the technical skill he had acquired in the French system to perfection, by enhancing its promptness and power of concentrating great forces on any point, the other English pupil seemed at once to throw to the winds every lesson of caution and precision that he might have learned from the enemy.¹

This training of Marlborough has a material connection with the necessities that drove us to the employment of foreigners for military command, because it has the credit of producing a commander and a military organisation releasing the British empire from so humiliating and perilous a resource.

Before this relief came, the first act of distinguished service within our period was the race that carried a garrison into Nymeguen—a feat performed for us by the Dutchman Ginkel, Earl of Athlone. The Schombergs and Galway had, as we have in some measure seen, found for themselves a place in history

¹ An anecdote is current telling with much precision how, on a post being lost, Turenne betted that the handsome Englishman, as Churchill was called by the French, would retake the post with half the number of the garrison that lost it—and the bet was gained. It can be said for this story that it is accepted by the cautious and precise Archdeacon Coxe (*Life*, chap. i.); he got it, however, on no better authority than a showy book with conventional pictures of many battles, called 'The Military History of the late Prince Eugene of Savoy, and of the late John, Duke of Marlborough,' &c., by Claude du Bose (2 vols. folio, 1736), i. 94. On the principal fact that Marlborough was a commissioned officer in the French service, Coxe gives us distinct evidence: "His commission is still extant at Versailles, April 3, 1694, signed Louis, and countersigned Felier, M.P." Coxe says further: "In this rank he appears to have served during the German campaign of Turenne, and to have been present at the battle of Sinzheim, on the 16th of June, when the Imperialists were worsted, and their defeat was followed by the memorable devastation of the Palatinate. There is little doubt, also, that he assisted in some of the military operations between 1675 and 1677, after the death of his patron, Turenne."—Coxe, i. 8.

by assisting us in our hour of need. The Schombergs owed scant allegiance to France. They were Germans who passed under the dominion of the throne of France with the annexation of the Alsatian territories. On the repeal of the Edict of Nantes, the family sought refuge in England, where their chief, Duke Schomberg, served King William and was killed at the battle of the Boyne. He had been created by King William a duke in the peerage of England, and endowed with large revenues. His son, Meinhardt de Schomberg, was created Duke of Leinster in Ireland. The British honour of the family died with him. We have seen that he was recalled from the seat of war in Spain. He acted there as Captain-General of the Portuguese forces in Spanish pay. There are traces through the correspondence of the period that he made himself offensive by a haughty manner and imperious temper. It would almost seem as if the sense that he was necessary to the country that had adopted him, had roused in him the spirit of domineering arrogance that is so often attributed both in fiction and serious history to the mercenary soldier, called in for the protection of feeble communities unable to defend themselves on the field of battle. More popular and successful among the refugee commanders was De Rouvigny, Earl of Galway, whose career in Spain we have seen. He was old; he had been twice severely wounded in his service there; and he was commander in a hopeless cause, with the restless Peterborough for his companion.

In 1711 the conduct of both was matter of inquiry in the House of Lords. This inquiry was one among the many unseemly scenes in both Houses, having

their cause less in the matters that were the immediate object of legislative consideration and inquiry, than in the critical conditions arising in the ministerial revolution. The inquiry began in an order that "the Earl of Galway and the Lord Tyrawley—formerly known under the name of Sir Charles O'Hara—appear before them, . . . which they did accordingly; and the first having a chair appointed him without the bar, by reason of his infirmities, was desired by the chairman to give the Lords an account of what he knew concerning the affairs of Spain." He explained apologetically that he would satisfy their demand as well as his imperfect knowledge of the English language permitted; and the minute of the day calls it an account "with which their lordships appeared to be well satisfied." But in the progress of inquiries there seemed to arise disputes and irritations breaking in on the satisfactory character of the beginning. Tyrawley began the brawl with a sharp little touch of defiance. When he was desired, as Galway his superior in command had been, to make explanations, we are told that "his lordship stood on the reserve, and said that when he was in the army he kept no register, and carried neither pen nor ink about him, but only a sword, which he used the best he could upon occasion; and that all he knew in general was, that they always acted according to the resolutions of the council of war."

There were remarks on what had dropped from Galway and Tyrawley, and in these we have perhaps the only vestige of Marlborough having slightly lost his temper, on seeing his companions in arms subjected to harassing questions. It is briefly reported

that "the Duke of Marlborough said that it was somewhat strange that generals who had acted to the best of their understandings, and had lost their limbs in the service, should be examined like offenders about insignificant things."¹ And again rising, he said, "He could not perceive the tendency of such an inquiry; but if they designed to censure persons who had acted to the best of their understandings, they would have nobody to serve them."²

Some questions were put to Peterborough having the effect of letting him loose—or, it might perhaps be more appropriately said, of hounding him on the committee, in his own peculiar manner. Among these was the irritating question how he was supplied with men and money during his command in Spain. This is the first of "five questions put to the Earl of Peterborough and his lordship's answers;" and his answer, put in the third person, opens thus: "That the management of the war in Spain, when under other generals, was not only supported by great numbers of men and vast sums of money, but also with notorious falsehoods published in their favour to excuse their repeated disgraces; whereas his lordship was not supported as the service required with either men or money, but had his conduct traduced, notwithstanding his constant success, by multitudes of representations and suggestions to his prejudice, all of them detected to be false." He made a curious special statement, bearing on the extreme difficulty of knowing the numbers engaged in the war in Spain, and showing how wide apart the data sometimes might be for even counting the British contingent in that war

¹ Parl. Hist., vi. 938.

² Ibid., vi. 955.

Stanhope had brought with him a reinforcement. On this point Peterborough assures the committee, "That the troops he brought there did not amount to 5000, though published in the English Gazette to amount to 25,000;" and as to condition and equipments, "That no regiment was provided with the least equipage—no mule, no horse, no carriage for the troops, nor any beast of draught for the artillery; no magazines for provisions for a march. His lordship having taken and relieved Barcelona, drove 7000 men, with 3000, out of Valencia, and 25,000 men out of Spain, with the inconsiderable forces he had, before he received one penny from England. His lordship said further, he never had any establishment ordered, nor was allowed for baggage-money, forage-money, or the train of artillery, till just about the time when the command of the forces was put into other hands. His lordship was pleased to say he was forced to shift as well as he could with what money he had of his own and could pick up and down the world; and was rewarded for his pains and services with having his bills protested which he drew from Genoa."¹

Here we find Peterborough in full characteristic; as affirmative and truculent before the august assemblage of his fellow-peers as in his dealings with the serene and stupid Austrians, the impracticable Portuguese, and the rascally Miguelites. His good fortune has not deserted him, since he is successful in the senate as in the field; for the committee, though much animated by a spirit of censure, resolved that "the Earl of Peterborough, during the time he had the honour of commanding the army in Spain, did perform

¹ Parl. Hist., vi. 948.

many great and eminent services; and if the opinion he gave at the council of war at Valencia had been followed, it might very probably have prevented the misfortunes that have happened since in Spain."¹

What renders this approval the more remarkable is, that it was bestowed for conduct signally the reverse of Peterborough's nature and actions. We have seen him at the beginning of the war projecting a dash at Madrid, and the kidnapping of King Philip. In the instance commended, he had stood alone in a council of war, denouncing any attempt to take the active and aggressive part, and recommending the passive and defensive, until the army in Spain was strengthened. But he was overruled, and hence the defeat at Almanza overtaking the cause of King Charles with irretrievable destruction. The whole affair confirms what many sharp eyes saw under the wild eccentricities and audacious projects of the man, an inner fund of deep sagacity.

We must not forget that we are here dealing chiefly with Galway the refugee; but Peterborough became a party to his case, for they were on opposite sides on the great question of the aggressive and defensive. The committee found that it had been well for the service—that the great calamity might have been averted—had Peterborough's counsel prevailed. Yet they could not well censure Galway for giving effect to the decision of a council of war, when there was but one exception to unanimity.

It is impossible, however, to follow the course of this inquiry without the feeling that hard measure was dealt to the poor refugee, whose military train-

¹ Parl. Hist., vi. 981.

ing and high spirit had served us in our hour of need. The spirit of hostility was not personal as against himself. Its real object was the expelled Ministry. But it could furnish small consolation to a gallant soldier, that the object of exposing his defects was the punishment of those who had employed him for the incompetence and mismanagement testified in their selection.

It seemed to be felt as necessary, however, that something defective should be found in the general selected by the departed Ministry. There seemed to be a desire in passing a censure on his conduct, to put it in the gentlest possible form. It is not easy to do thus with a high-spirited soldier. Put severely or gently, anything touching his honour or his courage is the direst of calamities; and there is sometimes aggravation rather than mitigation in a tender attempt to deal gently with a weakness. In this instance the offence selected for chastisement effectually served the purpose of mitigating its severity. It was the mistake in etiquette of giving Portuguese the right and British troops the left on the march; and the resolution was, "That the Earl of Galway, in yielding the post of her Majesty's troops to the Portuguese in Spain, acted contrary to the honour of the imperial crown of Great Britain."¹

¹ By something like unanimous negligence the biographical dictionaries seem to have dropped Lord Galway from the lists of fame. He is neither to be found under the head of Galway, nor of De Rouvigny, inherited by him from an illustrious Piedmontese house. Even in 'The Dictionary of Biographical Reference, containing one hundred thousand names, together with a classed index of the biographical literature of Europe and America,' by Lawrence B. Philips, he is not to be found. This is the dictionary of the dictionaries, giving rarely more than a half-line to each name, and a reference to all the

Among the valuable acquisitions made by this country through the policy that cast forth so much of what was morally and intellectually precious in France, the student of history naturally looks with an eye of special interest to Rapin de Thoyras. He belonged to a family of the original Huguenot stock; and he was twenty-eight years old when the Revolution of 1688 brought him to the conclusion that the sure place of refuge and comfort for one of his nature and opinions was Britain. He served under his countryman De Rouvigny, whom we know better as Lord Galway, and was wounded in the Irish war. Conscious of the freedom enjoyed in the country of his adoption, he studied its laws and constitution, and it dawned and gradually strengthened on him that he should trace to its origin the national progress that had developed itself in the English constitution. He was a close observer of the existing working of the constitution, and gave a signal rebuke to the common opinion that no foreigner can understand it, in a thoroughly instructive commentary on the political divisions such as he found them during his abode in Britain.¹

With the singleness of purpose necessary to the accomplishment of great discoveries or other intel-

biographical dictionaries where the owner of the name figures at more length. In this general silence we are surely all the more indebted to the author of a quarto volume carrying what follows on its title-page: "Henri de Rouvigny, Earl of Galway: a Filial Memoir, with a Prefatory Life of his Father, the Marquis de Rouvigny. By the Rev. David C. A. Agnew. Edinburgh: William Paterson. 1864."

¹ See "A Dissertation on the rise, progress, views, strength, interests, and characters of the two Parties of the Whigs and Tories, first published in the year 1717," Appendix to edition of Translation of "The History of England written in French, by M. Rapin de Thoyras, 1733."

lectual triumphs, he resolved to devote his life to the task of bringing into light the hidden treasures, of which he had discovered the external traces as a geologist believes that iron or coal or copper will be found in the rocks distributed under his feet. For such a design the resources of life must in the first place be secured: these would not come as the immediate fruit of his labour, for that was not available until he had spent seventeen years on his task. He had some little remnant of the patrimony of an old respectable family. Bentinck, Duke of Portland, King William's favoured minister, countenanced him, and he managed so to live as to be able to pursue his great project in freedom. But one item in his arrangements showed that he was not endowed with much more than the bare necessities of life. He found that he could not afford to live in England until his work was completed. Hence, having made collections of such materials as he could only find in England, he settled himself in Rhenish Prussia for the completion of his work and his life.

It seems not inappropriate to withdraw for a short space from the busy world of historical events, to estimate the character of the task undertaken by the solitary scholar, in a brief note of the materials that he found in existence, for supplying our country with the history of its past. The books professing to supply the history of our islands were neither few nor meagre. Foremost among them were the folios of Raphael Holinshed, gorgeous with fables, "conteyning the description and chronicles of England, from the first inhabiting unto the Conquest. The description and chronicles of Scotland, from the

first originall of the Scottis nation to the year of our Lord 1571. The descriptions and chronicles of Yrelande, likewise from the first originall of that nation untill the year 1547. Faithfully gathered and set forth."

The world of literature owes a debt to this work beyond the acknowledgment of its wild picturesqueness. It supplied to Shakespeare the materials for King Lear and Macbeth. Holinshed was not the inventor of either story, and he took his Macbeth, with all its incident and variety, natural and supernatural, from the work of Hector Boece. Holinshed was, however, essentially the standard historian of the three kingdoms, and his works were popular in England in editions profusely adorned with picturesque woodcuts. There was another service to subsequent literature due to these old chronicles though limited to Scotland. They tempted George Buchanan, the greatest master of the Latin language since the days of the early Cæsars, to write his history of his native country. He had formed his style on a close study of what had come down to his age from Tacitus, Livy, and Sallust. If it lie to his charge that the charms of his style thus served to give currency beyond their natural limits to many fables, it has to be said, on the other hand, that his book had the merit of promoting classical study in his own country, by stimulating the learning of the Latin language throughout the parochial schools, the reward for industry being the perusal, in the lofty language of the old Romans, of the patriotic achievements of the two national heroes Wallace and Bruce.

If it be said that the authors of the books we have

just been handling must either have been afflicted with intellectual imperfections or guilty of telling gross falsehoods, we may safely in their cause deny both conclusions. In their period the Homeric spirit still lingered with those who professed to tell of deeds worthy of commemoration. The chroniclers, such as Boece and Holinshed, were the authors of romances founded on facts, or on things believed by them to have been facts. The propensity thus to decorate history had a long life in literature. Perhaps its latest development was in the shape of what has been termed the "philosophy of history," where the facts come forth with a decoration of speculation and theory that is apt, if not under very strong control, to warp the simple helpless facts. It may surely be at last pronounced as an established opinion, that absolute fact is the foundation of all history, and that it must come clearly to the surface and be seen uncorrupted by any element of dubiety, as the foundation whereon any decorative elements, rhetoretic or philosophical, may, if they are desirable, be raised.

The great merit of Rapin was in his striving to complete a history subject to this condition; and it is almost as touching as the old image of the good man wrestling with the storms of fate, to follow him in the struggles of his task. For the Roman period he had Cæsar and Tacitus, authorities so hallowed by classical homage, that at that period to question the truth of their sayings was a sort of literary blasphemy. In this age we may take the freedom to say that Cæsar was somewhat too much of an egotist, with his own objects in view, to be im-

plicitly trusted in all things. As to Tacitus, we are warranted in going further in the iconoclast direction, and holding that his most eloquent and picturesque incidents, with the chief personages rendered illustrious by them—Caractacus, Boadicea, and Galgacus—are mere inventions for the purpose of affecting some end or creating some effect as parodies on events or characters known at Court.

It was not until he reached the period of the Saxon Chronicle and the History by the Venerable Bede, that the historian of the British Isles at that period could find his feet on any firm ground. There were other sober chronicles accessible in print, such as Baker's, Langtoft's, and Higden's Chronicles. Of the quantity of chronicle lore, chiefly in manuscript, at the service of the historian of the past living during our period, a powerful practical estimate may be made by any one who casts his eyes over the shelves of a library rich enough to possess all the volumes of the collection of 'The Chronicles and Memorials of Great Britain and Ireland during the Middle Ages,' edited under the superintendence of the Master of the Rolls. For the manuscripts, there were many impediments and difficulties in the way of discovering their hiding-places. And when available, whether in print or manuscript, there were perils in their use by those who had much faith and little critical acuteness. The most illustrious perhaps among them was that of Geoffrey of Monmouth. Of this book our historian had warning, if he required it, from a contemporary critic, who told him, with the rest of the world interested in the matter, how, "after the Conquest, the first man

that attempted the writing of the old British history was Geoffrey, Archdeacon of Monmouth—and he did it to some purpose. This author lived under King Stephen about the year 1150. He had a peculiar fancy for stories surmounting all ordinary faith, which inclined him to pitch upon King Arthur's feats of chivalry and Merlin's Prophecies as proper subjects for his pen. But his most famous piece is his '*Chronicon sive Historia Britonum*,' which has taken so well as to have several impressions. In this he has given a perfect genealogy of the kings of Britain from the days of Brutus, wherein we have an exact register of above seventy glorious monarchs that ruled this island before ever Julius Cæsar had the good fortune to become acquainted with it. The first stone of this fair fabric was laid by Nennius; but the superstructure is all fire-new, and purely his own. They that are concerned for the credit of this historian tell us that he had no further hand in the work than only to translate an ancient Welsh history brought out of Britany in France by Walter Calenius, Archdeacon of Oxford, who was himself an eminent antiquary, and added a supplement to the book. The translation of the whole he committed to the care of his friend Geoffrey, who, says Mathew Paris, approved himself '*interpretes verus*;' and there I am willing to let the matter rest."¹

If the investigator, ambitious of exhausting the materials to be found in the whole body of the

¹ '*The English Historical Library, in three parts, giving a Short View and Character of most of our Historians, either in Print or Manuscript, with an Account of our Records, Law-books, Coins, and other matters serviceable to the undertakers of a General History of England.*' By W. Nicolson, Archdean (now Bishop) of Carlisle. Pp. 38, 39.

chronicles of the British empire, should feel alarmed by the magnitude of the task, he will soon, with a little close observation, learn short paths to the completion of his journey, in the discovery of repetitions on a vast scale. He will find the earlier periods identical, or differing only in casual abbreviation, in the great bulk of the chronicles. The cause of this was the interest taken in chronicle lore by all who could read, and the difficulty of supplying the demand so created before the invention of printing. In each religious house it was customary to assign a chamber as the "*scriptorium*;" and there some monk or other brother of the house sat, sometimes copying missals or books of devotion, but also at times copying or writing chronicles. An ample chronicle was among the boasted possessions of these houses. When such a house acquired a chronicle down to a certain period, it was continued downwards from that period in the "*scriptorium*." If it fell at a subsequent period into other hands, or if a copy of it were obtained, then it would be continued on from the latest previous period of completion, and so on. Hence it occurs that the further back we go in the chronicles, the closer we come to identity of detail throughout all.

It is pleasant to know that the foreigner in his tedious work with the unravelment of all these difficulties, had the path occasionally opened for him. The book cited above, Nicolson's Historical Library, cleared away the lumber of a load of impediments, and afforded the stranger a guide to the riches of the chronicle literature of the British empire. The Historical Libraries of Bishop Nicolson—there is one for

each of the three kingdoms—unite to form a work of such a character that, had it not been enlightened by an intellect of signal acuteness, would have been as thoroughly an encumbrance and nuisance in the world of books as the many chronicles he finds it necessary to expose as forgeries or mendacious fictions. To the archæological student his works are as valuable as those of any great discoverer who has made an epoch in science. Fame, however, does not attend such services, probably because the mere service of clearing away what is useless or pernicious cannot find a conspicuous place in the eyes of men.¹

The foreigner, as he pursued his task of bringing out to the light of day the real history of the strange country where his brethren had sought refuge, found another source of practical aid in the successive publication of the volumes called the 'Foedera,' of which the first volume was printed in 1704.

This contains for its period the full text of all the treaties and diplomatic documents connecting England with other countries, along with many other State papers not coming within the definition of the title. The merit of this collection is in its mere accuracy,—in rendering its documents word by word, and letter by letter. It may seem strange that such a simple service should require great skill, and earn

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It was an additional item of good fortune to the author whose selected task carried him through the great civil wars of the seventeenth century that there was a harvest for him in a crowd of books and pamphlets that fought the battles over again in printed literature. Much of this new material was scattered in fugitive pamphlets, many of them worthless; but Clarendon's great History was revealed to the world in three folio volumes between the years 1702 and 1704. Nearly at the same time the six folio volumes of John Rushworth's Historical Collections had all become available. They were serviceable not only in what they taught, but in what they excited others to teach in the spirit of controversy. Those who leant to the politics of loyalty and High Church, thought that Rushworth had selected his documents with an eye to the support of the Parliamentary side of the great contest, and that it was fitting to provide an antidote to this corrupting influence. Hence, among other efforts of a less distinguished kind, we have the two volumes, folio, edited by John Nalson, with the title, 'An Impartial Collection of the Great Affairs of State, from the beginning of the Scotch Rebellion in 1639, to the Murder of King Charles

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I. ; taken from Authentic Records, and methodically digested.'

For all the assistance he thus received from restorers and classifiers of historical documents, the exile had consumed nearly thirty years of his life in the great task when he died in 1725. He had then completed his book to the death of Charles I. This '*L'Histoire d'Angleterre*' was published at the Hague in 1724, and it was followed by a continuation down to the death of William III., written by David Durand, who is believed to have in a great measure relied on the notes and fragments left by Rapin. The work was in high esteem abroad, and was stamped by the commendation of Voltaire.¹

In so far completing his intended task, the exile left behind him a power, that incited others to work out to further conclusions the resources available for the history of the British Islands. The history, as left by Rapin, with the continuation as far as the Revolution, was translated into English by Nicholas Tindal. The task seems to have inspired, and to have in a manner educated, him to the project of carrying the history onward. The book known as '*Rapin and Tindal's History of England*' brings us through the reign of Queen Anne to the death of George I.

This is a book of high authority. It used to be said by sages advising parents on the best sources of instruction in the history of their native land, if they wanted superficiality and elegance let them look to

¹ "Ou peut ajouter qu'il n'a été inspiré en écrivant que par l'amour des lois et de la liberté. Au reste, il a un style clair, rapide, bien que peu châtié. Il classe les faits avec méthode, raconte avec autant d'exactitude qu'il lui est possible, et prend soin de citer des autorités." —Cited, Hoefer, *Nouvelle Biographie Générale*, *voce* Rapin.

Hume ; but if accuracy, precision, and fulness were desired, the heavier task must be imposed of studying the folios of Rapin and Tindal. There was yet another candidate before the world as a teacher in Tobias Smollett, who had a hold on the affections and attention of his countrymen by his marvellous fictions. He, too, had written a *History of England*. It had been completed in a few months by the use of Rapin and Tindal, as Orator Henley had made a pair of shoes in five minutes by cutting down a pair of boots. In Hume's *History* there was, however, a separate value even if he took the main bulk of his facts from the French exile and his continuator. He was a man of large reading and profound thought, who could see more clearly than others into the relations of causes and effects, and into the relative significance of the events he had to describe in their reference to events elsewhere ; and he had a peculiar gift in the discrimination of the true from the imaginary or the false. There was a universal testimony to the superiority of Hume's work in the countless editions of '*Hume and Smollett's History*,' —the inferior author being trusted of necessity when the superior was not available.

During the latter half of the eighteenth century and a portion of the present, the "*Hume and Smollett*" formed the text-book whence our youth drew their historical education. It was so even if the book actually perused bore another name on its title-page ; for no compiler of a school-book would have ventured to pass over the accepted authorities, unless, indeed, he undertook the weighty task of drawing on the fountain whence these had been supplied

—the folios of Rapin and Tindal. For these separately there was a great sphere of appreciation and fame. They were essentially library books, to be consulted by all who aimed at a scholarly estimate of the history of their country, and so held a distinguished place in every gentleman's library. For this, indeed, the dignified conditions under which the work was generally published prepared the way, with its great folios, that could not be kept entire without costly binding. They had attractive decorations in a high tone of art, and were in all things a "Pictorial History" of far higher worth than the books of the present day known by that name. There were in the first place the portraits, engraved, some by Vertue, and others by Houbraken. Each of these (and they are very numerous) is a costly and skilful work, far beyond the artistic rank of anything that professes to illustrate books of history—or, indeed, any class of books—at the present day. To the children of a household possessed of such a treasure, these portraits must have been a perpetual source of instruction in a knowledge of the eminent persons represented in them, and must have at the same time assisted in rousing a taste for beauty and dignity in art.¹

Tindal's continuation of Rapin has perhaps been more amply founded on by later historians, as an authority, than any other book referring to the period

¹ In Bohn's edition of 'The Bibliographer's Manual of English Literature,' by Lowndes, there is (*vide* Rapin) a long precise list not only of the various portraits of this great book, but also of the representations of historical monuments, and the plans of fortresses and battle-fields. This list is of considerable use even to those who possess the history itself with all its illustrations.

it covers. The part containing the History of Queen Anne, written by Tindal, has been especially serviceable to all later historians of the same period. He was twenty-seven years old at Queen Anne's death, and as he lived for sixty years thereafter, ever correcting and improving his great book, his opportunities for completing it according to the canons of historical literature prevalent in the middle of the eighteenth century were eminent. The raising in our literature of an eminent historical monument is thus traceable to the political conditions that rendered Rapin de Thoyras an exile to our shores from his native France. But while in the ordinary books of biographical reference in the French language, the exile and his services have been amply commemorated in terms that have naturally been transferred to the English biographical dictionaries, in these it is difficult to find, as to the Englishman Tindal, traces that he ever existed.

The prevalent characteristics of the historical literature of the present generation give occasion to dwell somewhat on the services done for us by the great Frenchman and his English follower. The impression has taken practical root, that a history carrying a great nation like our own through several centuries of its progress is too heavy a task to be undertaken by one intellect; so that even a great historical scholar must content himself with perfecting a special chapter of the narrative. We have the quartos of Sir Francis Palgrave on the Anglo-Saxon period; and he had just ventured to touch the Norman Conquest when an end came to his industrious life. Freeman, with his five mighty volumes, still clings to the Nor-

man Conquest. Then we have Froude, contenting himself with the annals of seventy-five years, and not even stepping back to the proper beginning of his epoch in the reign of Henry VIII., though the materials for that period are all printed to his hand. Brodie, Forster, and some others, have given us fragments on the mighty struggles of the seventeenth century. Macaulay was cut off when he had finished but a fragment of the great gift he had intended to bestow upon the world. The 'Pictorial History of England' was the collective work of many hands; and it was only providing us with a convenient and well-written abridgment of that ponderous work, when Mr Charles Knight published, in eight octavo volumes, 'The Popular History of England: an illustrated History of Society and Government from the Earliest Periods to our own Times.'

It will not be doubted that the writer who selects a period of a country's life, and having exhausted all possible available materials for its history, delivers the result in a compact and readable shape, does a distinct item of service in historical literature. But the world has also use, in the more ambitious services of the author, who, capable of setting forth in a narrative symmetrically giving each part its proper allowance, completes the history of a state through all its vicissitudes. Whether we be merely readers gratifying curiosity, or special students in some select corner, it is well to have available a comprehensive history carrying the impression of one well-stored mind. In fact, without such books we do not possess the means of readily balancing the significance of historical events with each other. We have there-

fore, as yet, nothing of native growth in this shape to supersede Rapin and Tindal's history.¹

It happens that the only work of the present generation that can either supersede or rival Rapin's and Tindal's, has come to us from a foreigner. It was written in German by Von Ranke, and translated into English in six thick octavo volumes. This book professes to deal in full detail only with the sixteenth and seventeenth centuries; but the introduction is sufficiently enriched with the spirit of the earlier period to make the book a full history of the British empire. The author's vast researches, into the early ecclesiastical condition of Europe and the connection between the empire and the Papacy, give great value to whatever a person so endowed might utter as to any portion of our history.²

The merit of having laid before our ancestors such

¹ I remember an occasion many years ago—when, having indulged in certain historical gropings in dingy corners, I had formed an exaggerated notion of the dignity of the occupation—having the benefit of discussing the relative value of general and particular history with Sir William Hamilton. He was then Professor of History in the College of Edinburgh. Remarking that it would take a long lifetime to exhaust the history of our civil wars in the seventeenth century, I asked him how he managed to teach to young men the history of the whole world from the beginning. He answered that the great object of his teaching was to impress on the young mind the significance of great epochs, such as the reconstruction of the Empire by Charlemagne, or the Reformation. We were rummaging in a heap of old books that had lain long untouched in a garret, and he happened to have in his hand a copy of the Letters of Busbecque, telling of all the wonders he had seen in Turkey. Sir William remarked that his revelation to Europe of the power and discipline of the Turkish army, followed as it was by the siege of Vienna, made an epoch worth remembering, and capable of being taught and remembered by its picturesqueness.

² *Englische Geschichte, vornehmlich im sechzehnten und siebenzehnten Jahrhundert.* 1859-68.

A History of England, principally in the Seventeenth Century. By Leopold von Ranke. 1875.

a comprehensive and symmetrical history of their country as we have not rivalled in later times, is enhanced when we recall the mass of accredited fable that hung about the task when it was undertaken by the French refugee. He did not attempt, indeed, the task that is yet hardly completed, of denouncing the fabulous Histories of the Islands, and tracing the historical conditions that led to the fabrication of the fables; but he showed marvellous skill in keeping clear of their entanglements. These fabulous histories had a strong existence, because they were not the visions of dreaming seers, but forgeries made for the accomplishment of practical political ends.

In the first place, the fabulous history of England was created to become a testimony to the dependence of Scotland on the crown of England. Scotland invented in defence, and both stories were told to the Papal Court in ponderous pleadings, with the thoroughly practical result that Robert the Bruce was acknowledged to be an independent monarch, and was inaugurated with the imperial anointing. In this kind of competition—the invention of fabulous annals—Ireland naturally excelled her neighbours in boldness and brilliancy. There was at work there during our period a certain Geoffrey Keating, whose history of his native country, written in its own Celtic, was a few years afterwards handed over to the criticism of the empire at large in a translation printed in folio. Here there is a chapter on "The First Invasion of Ireland before the Flood." The narrative goes trippingly downward, crossing the Flood by agency of its own manufacture until the year of the world 2736, when we are in comparatively

modern and homelike times—Milesius having then arrived and founded the Milesian dynasty of the kings of Ireland, who afterwards supplied in their descendants a royal race both to England and to Ireland. The long wild story, of which these are petty items, was fully believed during the period of our history, and so long afterwards, that when Thomas Moore the poet wrote his history in 1835, he felt it an awkward and almost a perilous task to dispel fables that had carried his wretched country into visions of ancient freedom, supremacy, and wealth. He murmured that he had "not only to surrender his own illusions on the subject, but to undertake also the invidious task of dispelling the dreams of others who have not the same imperative motives of duty or responsibility for disenchanting themselves of so agreeable an error."

Before leaving the consideration of the question—how far the joint labours of Rapin and Tindal supplied a sound and fair history of the British empire—it has to be admitted that in the present day of critical investigation a considerable portion of useless lumber has been printed to encumber literature. Theory, analogy, and an inordinate manipulation of the slippery powers of etymology, have in a manner occupied the place of the fabulous narratives. The founder of this peculiar school of historical criticism was the late Sir Francis Palgrave. His profound palæological erudition gave him a sort of mystic power in tossing about analogies, theories, and etymological inductions, created at the pleasure of his own capricious will, with intellectual tools that no other person could handle for his detection and the

dispersal of his visions.¹ On the contrary, indeed, there seemed to be something so fascinating in the contemplation of his triumphant gambols, that a considerable portion of any complete British historical library is occupied by his imitators.

We have seen the services performed for us in the battle-field by the refugees driven from France in the persecutions following on the Revocation of the Edict of Nantes; and a specific account has just been given of a special separate service, in the shape of historical literature. But the greatest of all the services reaped by us from the exodus was in the communicating to our working classes the knowledge and practice of many skilled trades. That our country, thronged with accomplished artisans, supplying the rest of the world with the fruit of their labour, and sending forth millions of craftsmen to throw their skill into the cradles of future empires, should have had to accept its training and tuition in this department of human labour from a community now lagging far behind them in the race of productive industry, is a phenomenon carrying us, when we look to its sources, into historical conditions far back within the world's history, but there coming forth with very satisfactory distinctness.

We were not among the populations privileged to inherit the civilisation of the great Roman empire.

¹ See *The Rise and Progress of the Commonwealth—Anglo-Saxon Period*; containing the Anglo-Saxon Policy and the Institutions arising out of the Laws and Usages which prevailed before the Conquest. A fragment published in two volumes quarto in 1832.

The History of Normandy and of England; General Relations of Medieval Europe; *The Carolingian Empire*, &c. Also a fragment, in four volumes, 8vo. 1857-60.

The language of France and the English tongue distinctly proclaim this fact. In some parts of the continent of Europe, where the Romans were once firmly planted, and have left vestiges of their influence, the Teutonic form of speech has, after a contest, prevailed. For instance, Treves was the capital of a great Roman territory; and we can see in it to this day, not only in public buildings but domestic houses, the architecture peculiar to the Romans. We have remains sufficient to show us that a rich and luxurious Roman colony was once supreme in the southern portion of Britain; but the successive inundations from the Scandinavian tribes, coming to their climax in the predominance of the Saxons, swept every vestige of Roman life and civilisation from the island.

If the retention of a form of speech of such a character that, though modified through the lapse of centuries it still proves indubitably its Roman origin, may not of itself suffice to convince us that the people got their industries from the same source as their language, we have additional testimony in that form of industry that creates permanent results, visible for centuries,—in the works of the architect and the builder. No procession of causes and effects can be more distinctly traced than those that carry back the architecture of the middle ages—the architecture called Gothic—to the Roman source. As a sort of homage to this truth, the ecclesiastical architecture, typified by the round arch, and called some half a century ago the Norman form of Gothic, has recently been called the Romanesque as a more descriptive name. In the trades of the architect and the builder

we have at the same time a living testimony to a characteristic in the history of mechanical trades—the propensity growing in all those who become skilled in them to preserve that skill as a monopoly, to be shared in only under certain conditions, and protected by strange mysteries and occasional acts of violence. All the adepts in all trades resolutely concealed their mysteries from those among their countrymen who failed to comply with the conditions of participation; and thus all the communities endowed with the privileges, kept nations that were foreign to them entirely incapacitated in the skill that might rival them in the market. It so befell that, when we were thus excluded from all means of acquiring the arts of the skilled workman, an access of fanaticism, tyranny, and cruelty in France sent us the artisans themselves.

In what are called the middle ages, the accessible parts of Europe had a tendency towards a division, on the one part, into communities supplying themselves by their industry with the comforts and amenities of life; on the other, communities living by the acquisition of the fruits of the property of the industrious through violence. When commerce increased and commodities created by industry were dispersed over the world by the traffic of the ocean, the system of violent appropriation took the shape of piracy. In the remote calm estuaries of the fiords of Norway, fleets of pirate vessels lay secure, and when they did business in the mighty deep they carried their plunderings as far as the Mediterranean. From swarms of these plunderers Britain was peopled, and our ancestors were proficient in piracy. Among

those who so lived on the industry of others, one constructive mechanical art flourished luxuriantly—this was the art of shipbuilding, unknown to the Romans, who could only navigate oared galleys. To build and employ these was an accomplishment bequeathed by the Romans to the Latin races, and it was one of great value to all whose ventures on the ocean were limited to the Mediterranean and other narrow seas. The rigged sailing vessel—one of the greatest achievements of human genius—was peculiar to the lands touched or penetrated by the Northern seas; and the skill required for handling these ships in storms as well as on smooth water, made a class of workmen so separated from the rest of their kind by their peculiar skill and the proportion of their lives spent on the ocean, that the sailor was a being more specifically marked off from his fellow-beings than, in many instances, the community under one government is from that under another. Our seamen were thus our own, and they spread themselves as a peculiar type of our country over all the navigable world at the period when we were supplying our inland workshops with the skilled artisans who fled from persecution in southern France.

From the accession of Queen Elizabeth downwards, there was a general spirit of encouragement and hospitality towards the Protestants from France, suspended in some measure during the latter days of the Stewarts. The first group, large enough to be spoken of as a colony, fled before the terrors of St Bartholomew's Day. At the dawning of our period the French churches or congregations were a distinct and thoroughly-organised feature in the religious world of

England. The French showed themselves in exile, as at home, possessed of a facility for a separate organisation of the same character, though naturally not so powerful, as that which had enabled the Huguenot party during the subsistence of the Edict of Nantes to establish itself in preponderance, accompanied sometimes with intolerance, in the districts where their religion predominated. As a body the refugees were favoured by the people, and they were warmly countenanced by the sovereigns, from Edward VI. downwards, with the exception of his immediate successor, Queen Mary. Through this countenance from royalty their separate congregations were united for combined action by corporate privileges. The church first established was founded in London in the middle of the sixteenth century. It was not exclusively French, nor indeed were the more eminent of its members Frenchmen, and it was put under the superintendence of the celebrated divine, John Alasco, a Pole. It was when other countries on the Continent had settled down into quietness and a certain amount of toleration, that France, suffering under the exceptional calamity of the Revocation of the Edict of Nantes, sent so great a preponderance of fugitives to Britain that those of other nations were attached to the French churches. On the accession of Queen Mary, Alasco had to flee for his life, and the community he had ruled over was dispersed to return at the accession of Elizabeth. The French Church in London was curiously involved in the great religious contest of the seventeenth century. Laud was all too closely reminded of their offensive neighbourhood, since one of the earliest of their com-

pleted congregations had found access to the crypts of Canterbury Cathedral for their place of worship. Laud drew a line between those born in allegiance to the crown of England, and strangers who had come over the sea. From the English-born he demanded conformity with the hierarchy and ritual of the Church of England. The congregations on this occasion felt the strength of that organisation by superior and subordinate collective assemblies—such as France bequeathed to Scotland in the General Assembly, Synods, Presbyteries, and Kirk-sessions. They held out till Laud came to ruin, and they found protection and friendship in the Assembly of Divines. Under the Protectorate they were heartily encouraged. They saw indeed, in that aggressive power, a tendency to protect Protestantism with the sword wherever it was endangered or oppressed, and were made not only secure in England, but comforted with the hope that an avenging hand might be stretched out to succour and protect their suffering brethren at home.

All such hopes vanished with the Restoration. The French communities, however, actually established in England were effectively protected. The German historian of the exodus caused by the persecution in France, has afforded in the following sentences an abridgment of the measures taken for protecting and cherishing those who had sought refuge in England ere yet the great blow had been dealt in the Revocation of the Edict:—

“When in 1681, Louvois, for the first time, essayed in Poitou the system of dragonnades, the action of the nation upon the Government was so strong, that the frivolous Charles II., who did not blush to re-

ceive a pension from Louis XIV. to betray the interests of his country, could not avoid interfering in favour of the fugitives. By an edict signed at Hampton Court, the 28th July 1681, he declared that he held himself bound by his honour and conscience to assist the Protestants persecuted for their faith. Consequently he granted them letters of naturalisation, with all the privileges necessary for the exercise of their trades and handicrafts, which should not be contrary to the interests of the kingdom. He undertook to propose to the next Parliament to naturalise all those who in future should come to England, and in the meantime he exempted them from all imposts to which natives were not subject. He authorised them to send their children to the public schools and the universities. He ordered all his civil and military officers to receive them wheresoever they should land, to give them passports free of charge, and to supply them with the needful sums to go whithersoever they proposed. The commissioners of the Treasury and Customs he enjoined to let them pass freely, with their furniture and their merchandise, their tools and implements, without exacting any duties. He commanded all his subjects to collect whatever sums charitable persons would give by way of alms to assist those who should be in want. Finally, he appointed the Archbishop of Canterbury and the Bishop of London to receive their requests and present them to him. This edict was soon followed by an order in Council naturalising eleven hundred and fifty-four fugitives who had just quitted France."¹

¹ Weiss: History of the French Protestant Refugees. The foreign

If King Charles had little spontaneous sympathy for those suffering for conscience' sake, and yielded to the pressure of public opinion on the occasion, issues of a more critical kind might be expected to arise in the reign of his brother James. The severities against the Covenanters in Scotland were permitted to continue in their course; but it was the policy of the Court to keep persecution, even to the extent of mere inequality of privilege between religious communities, out of sight and recollection. Especially it was the policy to avoid any approval of, or sympathy with, the oppression of Protestants by a Popish monarch. The revocation of the Edict was indeed, though its influence was unavowed, a heavy item in creating the conditions that drove King James from his throne. It showed to the people in the strongest light and colouring what they might expect from a Popish monarch; and if King Louis, instead of reserving sympathy and kindness for the banished monarch after his calamity, had given some thought to the question how far it was in his power to stimulate or restrain the impulses towards a revolution, he would have abstained from issuing the Revocation.

The war with France was, during its first few years at least, popular, and much of this popularity was due to the existence among us of the patient refugees carrying to their new homes the general sprightly characteristics of their country. The English people were divided by habit into two separate classes—town

tone of this passage, especially seen in its imperfect expression of the technicalities of English constitutional practice, serves better than a more correct account taken by the foreigner from some English narrative, to show the impression made abroad by the spontaneous nationality of the hospitality extended by England to the strangers.

and country: the one living in streets filled with shops, warehouses, and manufactories; the other in absolute rurality and devotion to the cultivation of the soil. The partiality for a suburban abode, afterwards conspicuous in the class rich enough so to apply land that might be more profitably used, had not arisen within our period. The poor French settlers, however, had often a desire for rurality as a sweetener of their monotonous drudgery. And thus they clustered round the outskirts of London, in such districts as Bethnal Green, the Seven Dials, and Spitalfields, where each might have a small plot for flowers and train a few creepers on the wall of his poor abode. The refugees had a partiality, too, for keeping and training animals, and their working districts became known as markets where singing-birds and other household favourites could be bought.

The industries brought to the benefit of this country by the exiles were various. There were among them hatters, makers of clocks and watches, workers in glass-ware and cutlery, and papermakers. But the most important, from its extent and the variety of the purposes to which it could be applied, was the weaving of textile fabrics. Lyons, rising to be the great centre of manufacture and trade in silk, was in a manner desolated by the revocation of the Edict. If silk was wrought in England before the refugees came over, it was of a coarse fabric and trifling in extent, generally for the casual decoration of other textile fabrics. Early in the eighteenth century it became customary for the dealer in silk fabrics in central Europe to tell that his commodity was of English produce. Brocades, lustrings, satins, figured

silks, and silk velvets, came into the market in succession. The phenomenon was seen of the French silk-worm's cocoon imported into England to be worked into a fabric by French workmen and then exported to France or elsewhere abroad.

We are so apt to dwell with pride on the magnitude and influence of our inventions in machinery, that we forget the merit due to the inventors or designers of the fabrics on which our machinery has wrought. And this brings us to the consideration that the strangers had their share in the merit of inventing machinery, and its substitution for the human hand, in the production of the woven fabrics and patterns brought among us by them; since it was the value of the several fabrics and patterns brought among us by them, that stimulated the mechanical genius of our race to invent the machines that would supersede the human hands. If we take our French refugees and their superiority in their hand-industry as a type of the old civilisation that spread over the countries of Europe, where the social conditions were those of the old Empire, we may take the machinery that accelerated the production of their wares as the contribution made to the market by the bold inventive genius of the North. There was a painful process in the acceleration of production, but it was in the end a relief from slavery. The slavery of the handloom was abject even when there was no competition with machinery. There had been skill in the adjustments, but the real work was thus described by a clergyman of a handloom weavers' district:—

“To make a single inch of velvet the shuttle has

to be thrown 180 times; 180 times the treadles have to be worked; 60 times the wire has to be inserted; 60 times to be withdrawn; 60 times the knife has to be guided along the whole breadth of the work; and 60 times the pressure of the chest has to be exerted on a heavy beam which is used to compress the work. Six hundred distinct operations are thus required to make one single inch of velvet, the average payment for making which is one penny."¹

It was destined that all this weary work was, in the steam-engine and the power-loom, to be superseded by forces that knew neither the weariness of monotony nor the tiredness of overwork. Yet there was a struggle with tragical casualties, if starvation and shortened lives can be so described, to compete with the mechanical rival and drive him from the field. And the contest on the side of human hand labour against forces to be regulated by the supremacy of human intellect, was excited not merely by the desperation of those who must follow their old accustomed employment or starve, but by the supporters of human labour against mechanical power as a general principle.

As the mixture of a French element in our labouring population has thus come to be connected with scenes of misery and degradation, it is fair, in the estimate of national responsibilities, to remember that the strangers did not set the example in their own degradation. Pauperism is a social disease of our insular race, and it does not mitigate the curse, or

¹ Evidence of Reverend Isaac Taylor.—Cited, Timbs's *Curiosities of London*, 744.

relieve us from its responsibility, that the pauper is created by the free morsels of the means of subsistence scattered about from our profuse industrial wealth. If the French people possess not the strength of body and energy of purpose that distinguish the highly-developed English mechanic, they are comparatively free of the curse of pauperism. A close observer and student of the old and recent history of the French working refugees in London says: "The weavers are principally English and of English origin, but the manufacturers or masters are of French extraction; and the Guillebauds, the Desormeaux, the Chabots, the Turquands, the Mercerons, and the Chauvets, trace their connection with the refugees of 1685. Many translated their names into English, by which the old families may still be known. Thus the Lemaîtres called themselves Masters; the Le Roys, King; the Tonnelliers, Cooper; the Lejeunes, Young; the Leblancs, White; the Lenoirs, Black; the Loiseaux, Bird." Although the pauperised handloom weavers were fundamentally English, yet we are told on the same authority that among them were many of French descent, who "still cherish proud traditions of their ancestry. Though now perhaps only clad in rags, they bear the old historic names of France—names of distinguished generals and statesmen; names such as Vendome, Ney, Racine, De Foe, La Fontaine, Dupin, Bois, Le Beau, Auvache, Fontaineau, and Moutier."¹

It was only natural that the acquisitions to our population by the migration of French refugees should

¹ Timbs's *Curiosities of London*, 744.

not be invariably a happy contribution. Those distinguished among them were, as we have seen, descendants of victims who had fled from the theatre of intolerance. But refugees arrived within our period, bringing with them constitutions, moral and intellectual, that had been ruined or distorted in the hot fire of persecution. We have, fortunately, nothing in the known annals of our own country that would help us to form a practical idea of desperate extremities overtaking the population at large, over districts containing millions of people. The policy of the government of King Louis was inspired by that logical "ergoism," as it is sometimes called in this country—that absolute assurance of having adopted what is right and declared war against what is wrong, that has so often in the course of French history developed itself in mighty effusions of human blood. We islanders are more readily content with a remedy for the evil or difficulty that has to be practically met. The doctrine applied to the Camisards, after a certain amount of contest with them, was, that not only those in arms must be erased from the population of the country, but also all those of like mind, however passively they might entertain their opinions. The skilled physician doing justice to his patient is not content if he alleviates or even removes the acute symptoms of disease if he can find the means of safely expelling its causes from the constitution. Accordingly, not only those who had committed themselves by assembling in arms must be extirpated, but also all who held the same religion as those who had taken arms, so that the source whence any hostile

force could be raised should cease to exist. When it was found that death seemed to have lost its terrors—that martyrdom made proselytes, so that the recruiting-ground of the rebels threatened to spread itself indefinitely over orthodox France—the less ferocious form of deportation or expulsion was permitted as an alternative.

The vast and terrible organisation for suppression created a responsive popular frenzy. This relieved itself in sermons or exhortations; but the priest became as it were intensified into the prophet, and the frenzied ravings of lunacy passed as inspiration. The vast mental epidemic invaded a country suited by its physical aspect to propagate and acerbate the disease. It did not spread in fruitful sunny plains, nor did it ascend into grand mountain-ranges with deep fruitful valleys between. The district of the Dragonets and Camisards was an elevated bleak stretch of ascents and descents filling the broad stretch of southern France between the Alps and the Pyrenees. In the outbreak, in every sense a smaller affair, of prophetic and superstitious fanaticism in Scotland in the reign of Charles II., scenery of the same sterile gloomy order seemed to have its influence, and the voice of the inspired prophetic Camisard has a moderate repetition in Scott's well-devised ravings of Habakkuk Mucklewrath: "I heard it—When did I hear it? Was it not in the Tower of the Bass, that overhange the wide, wild sea?—And it howled in the winds, and it roared in the billows, and it screamed, and it whistled, and it clanged, with the screams and the clang and the whistle of the sea-birds, as they

floated, and flew, and dropped, and dived, on the bosom of the waters. I saw it—Where did I see it? Was it not from the high peaks of Dumbarton, when I looked westward upon the fertile land, and northward, on the wild Highland hills; when the clouds gathered and the tempest came, and the lightnings of heaven flashed in sheets as wide as the banners of an host?—What did I see?—Dead corpses and wounded horses, the rushing together of battle, and garments rolled in blood.—What heard I?—The voice that cried, Slay, slay—smite—slay utterly—let not your eye have pity! slay utterly, old and young.”¹

As a witty Frenchwoman said, in such phenomena the first step is everything; and inspiration and prophecy becoming accomplishments of the adult, we need not be surprised that young men and maidens partook of the gift, nor that articulation was prematurely bestowed on babes and sucklings, that they also might be among the prophets.² The gift of all kinds of tongues, known and unknown, accompanied the reveries and ecstasies of the inspired; and their resources in the shape of the marvellous, and, it must be said also, of the mischievous, were astounding.

What increased the power of those scenes of wild mania was the vastness of the stage and the millions

¹ Old Mortality, chap. xxi.

² “Le sombre enthousiasme qui couvait dans ces montagnes fit explosion par d’étranges phénomènes. On racontait que les assemblées nocturnes des *fidèles* étaient guidées au désert par des météores; que des enfants au berceau prophétisaient. . . . L’extase se propagea comme une épidémie; on vit des enfants catholiques prophétiser contre la Babylone romaine, à l’exemple des enfants protestants.”—Martin: Hist. de France, xiv. 399.

of people acting on it. The students of mental diseases do not readily obtain opportunities of taking a diagnosis, as it is termed, of wide gregarious influences. They were at work here probably on the largest scale that has been authentically established, tainting a people through and through with active mania. We may understand the gigantic nature of the inebriating and infuriating influences thus set to work, when we are told of five thousand prophets assembling and dispersing, each one to exhibit his gifts in the midst of a sympathising audience, gradually advancing from sympathy to frenzy. If a household are afraid in the possession of one insane member of a family circle,—if people ponder sometimes on the dangerous nature of the duties undertaken by the manager of a lunatic asylum,—it must needs have been a disturbing thought to be conscious of the presence of lunatics counted by thousands and hundreds of thousands.

In such phenomena there is apt to be a first step that brings a rush of others—the first act of destruction, or the first drawing of blood. A crisis came in this form on the 24th day of July in the year 1702. A body of people, old and young, seeming to consist of a group of families, were travelling in the Cevennes, their design being, it was said, to escape to Geneva. They were seized and imprisoned. The accounts of the matter are not clear, or even reconcilable in names of persons and places, but their general outline is that the outrage was committed under orders from a dignified priest, and that a group of the captives were detained within his house or palace. At a field-

meeting in the neighbourhood certain prophets were present. One of them had seen the Lord, who had commanded him to take up arms and rescue the prisoners. Another had seen a suggestive vision. It represented certain black oxen in a garden or vineyard where they had no right to be, grazing busily and growing fat; and he was ordered to drive them forth. The Cevennes were the garden, and the black oxen were the priests. A mob took its way to the place of detention, and its approach was announced to those within by psalm-singing. The priest received them with insults. As they persisted in their object of forcing the building and releasing the prisoners, there were shots from within and an assailant fell. The mob finding the trunk of a tree, used it as a battering-ram, and cleared an entrance. They did not content themselves with releasing the prisoners. The edifice was burned down; and the priest, with other priests who seemed to be sitting with him in ecclesiastical conclave, were put to death.

This was not only the opening scene in the bloody drama, but the entrance of one who took a conspicuous share in it, and the acquisition of a military commander to the fierce and headless mob. Among the besiegers of the priest's house was a handsome youth, known afterwards as Jean Cavalier. He was a heaven-born military genius, and discovering a tactic suited to the class of warriors among whom he found himself, he seemed to render them unconquerable in his hands. The sanguinary crew that gathered round him got from him the name of Les

Enfants de Dieu, and he became to them prophet and priest as well as military leader. As he was a brave soldier, a skilful general, and had some method of civilisation in his madness, the Government invited him to treat. He required hostages for his safety, and became conspicuous by the splendid attire of himself and a guard of followers, who entered Nîmes to meet the ambassador from the king. This was the great Marshal Villars, who had replaced Montrevel, as a token that an attempt was to be made to conciliate the Camisards. He agreed to the terms of compromise suggested to him; but another chief among the Camisards, Roland, backed by a prevailing party, refused to ratify them. Cavalier was now in danger on both sides, but he escaped, and carried with him a small force to fight under their countryman, Galway, at Almanza.¹ He joined the army of Eugene, and afterwards took refuge in England, where we shall see that he might have renewed acquaintance with his prophetic companions.

The adventures of the Camisard prophets were so erratic and wild, that it was hard for sober England to believe in them on mere narrative. It happened, however, that specimens of the class were cast into the unsympathising community of London, like blazing meteors discharged on the cold earth, and there they offered, for the observation of all who cared to witness them, manifestations connected with their peculiar gifts. They made at least two converts—

¹ "Cette troupe et un régiment de l'armée françoise se chargerent à la bayonette avec une telle fureur que l'un et l'autre furent presque détraîtes."—Hoefler: *Biographie Universelle*, *voce* Cavaliere.

Sir Richard Bulkeley, and a John Lacy, who is called Esquire. It is only through these two English gentlemen that the French prophets left any trace of their visit to London in the year 1706.¹ These gentlemen tell us at once the nature of the apparition that had come among them, the influences that converted them to a firm belief in the genuine apostolic character of the mission: "The subject-matter and economy of four or five hundred prophetic warnings, given under ecstasy in London, unless it be acknowledged to come from God, is altogether unaccountable; a few contemptible creatures, dispersed by persecution from the Cevennes, a desert country more obscure than Galilee, sent forth a voice, 'Prepare ye the way of the Lord;' their commission is to proclaim, as heralds, the same to the Jews, and every nation under heaven, beginning first in England. The message is, that the grand jubilee, the acceptable year of the Lord, the accomplishment of those numerous scriptures touching the new heavens and new earth; the kingdom of the Messiah, concerning which our Saviour answered His inquisitive apostles that the time was not for them to know, but reserved in His Father's hand; the marriage of the Lamb; the first resurrection or the new Jerusalem descending from above is now even at the door, and to be manifest over the whole earth, within the short term of three years. They tell us this great operation is to be wrought on the part of man by spiritual arms only, proceeding from the mouths of those who shall,

¹ The names of those achieving the highest pinnacle of notoriety among them were—Elias Marion, John Cavalier, Durand Fage.

by inspiration or the mighty gifts of the Spirit, be sent in great numbers to labour in God's vineyard. They tell us this mission of His servants shall be witnessed to by signs and wonders from heaven, by a deluge of judgments on the wicked universally throughout the world—as famine, pestilence, earthquakes, fire from heaven, darkness, tempests. The exterminating angel shall root out the tares, and there shall remain only good corn. The works of men shall be thrown down, and there will be but one Lord, one faith, one heart, and one voice among mankind."¹

The original prophets, and those natives of the British Isles taking inspiration from them, had the gift of tongues—sometimes specified as "unknown tongues." The philosophy of the unknown is either absolute or specific—the former sealed and unknown to the human race at large, the latter measured in the ignorance of specific human beings. Professors of unknown tongues have generally a tendency to the comprehensive in the unknown, uttering that which no one can detect and make amenable to criticism, as accurate or inaccurate, in grammar, idiom, or pronunciation—a sort of tongue briefly announced in our own vulgar tongue as "gibberish." It would appear that the French prophets showed a better taste, and took a more audacious if less comprehensive flight. There are three of them, for instance, the two Englishmen, Bulkeley and Lacy, with "Mr Facio," perhaps a

¹ See a pamphlet of the period called 'The Prophetic Warnings of John Lacy, Esq., pronounced under the operation of the Spirit, and faithfully taken in writing when they were spoken.' 1707.

foreigner, in a coach, where the Spirit pays them a visit, and "we were all the way proposing and reciting of sentences of the hardest Latin we could think of. Mr Facio recited to him out of Ovid's *Metamorphoses*, Virgil's *Æneid*, Lucretius, and out of Martial, Horace's *Odes*, and *De Arte Poetica*, &c., not any of which books he had ever read at school except Martial; and that no sooner did we recite a line in Latin but he recited the same in English, as readily as if he were then reading it before him. In all which he did not miss the signification of three true Latin words. But he proposed to us not to give him any technical words made Latin, as *alpites*, *schoenobates*, or the like, which was but reasonable, neither of such being properly Latin; and in truth, with all our endeavours, we could not pose him, which was to our great astonishment. This gift doth come and go; and when away he knows no more Latin than what his natural memory retains, and which, I may say, he had learnt while he was under the operation of the Spirit as to that gift."

Their own fellow-countrymen, the directors of the French Church in the Savoy, were not so complimentary to their utterances, finding, by the account of competent witnesses to their fits of inspiration, "that the same are counterfeit, and altogether unworthy of the wisdom of the Holy Ghost. But the manner in which they make the Holy Ghost speak is yet more unworthy, for they make use of perpetual hesitations childish repetitions, perfect nonsense, gross contradictions, palpables, conjectures turned into predictions, predictions already confuted by events; or moralities

which are daily better delivered in common discourse, and which have nothing new in them but the grimaces with which they are accompanied."¹

The prophets got into difficulty and danger by exciting the attention of that savage beast, the mob of London. It was proclaimed that on the 1st of May 1707, they were to attend at St Paul's Churchyard "for the restoring of Dr Wells to life, who was dead and buried."² The object was not attained; and the failure was attributed by the performers to the disturbing element in the presence, on the occasion, of unfaithful eyes—a phenomenon not unlikely among some twenty thousand of the mixed population of London. On this and on other occasions when the prophets courted publicity, the mobs assembled were riotous and formidable; but the tone of the contemporary accounts of these indicates that as no absolute mischief was done, no public authorities in London considered themselves justified in suppressive or penal action. Their own fellow-countrymen of the refugee congregations were the most urgent in desiring the intervention of the civil power, and apparently with some difficulty brought it to pass that some of them were bound over to prosecute the prophets. Three of these were tried at the Queen's Bench, and sentenced to stand in the pillory at Charing Cross, pay a penalty, and find security for good behaviour for a year.³ The

¹ The History of the Reign of Queen Anne, digested into Annals, vi. 369.

² Cunningham—Hist. of Great Britain, ii. 81.

³ Ibid., 371. The author remembers having seen in some contemporary publication, of which he has lost trace, an anecdote to the effect that one of the initiated waited on Chief-Justice Holt with information that

latest intelligence about the prophets is that they had left London and travelled to Scotland, where they seem to have dropped into obscurity, since a contemporary historian specially records that nothing more was heard concerning them.¹

the Lord had appeared to him in a vision, and told him to demand that the Chief-Justice should direct a *nolle prosequi* in the case ; whereat the Chief-Justice said that he thought it very unlikely such a message should come from such a quarter, since it would be known there that the Attorney-General and not the Judge had the responsibility of such a direction.

¹ Cunningham—Hist. of Great Britain, ii. 81.

END OF THE SECOND VOLUME.

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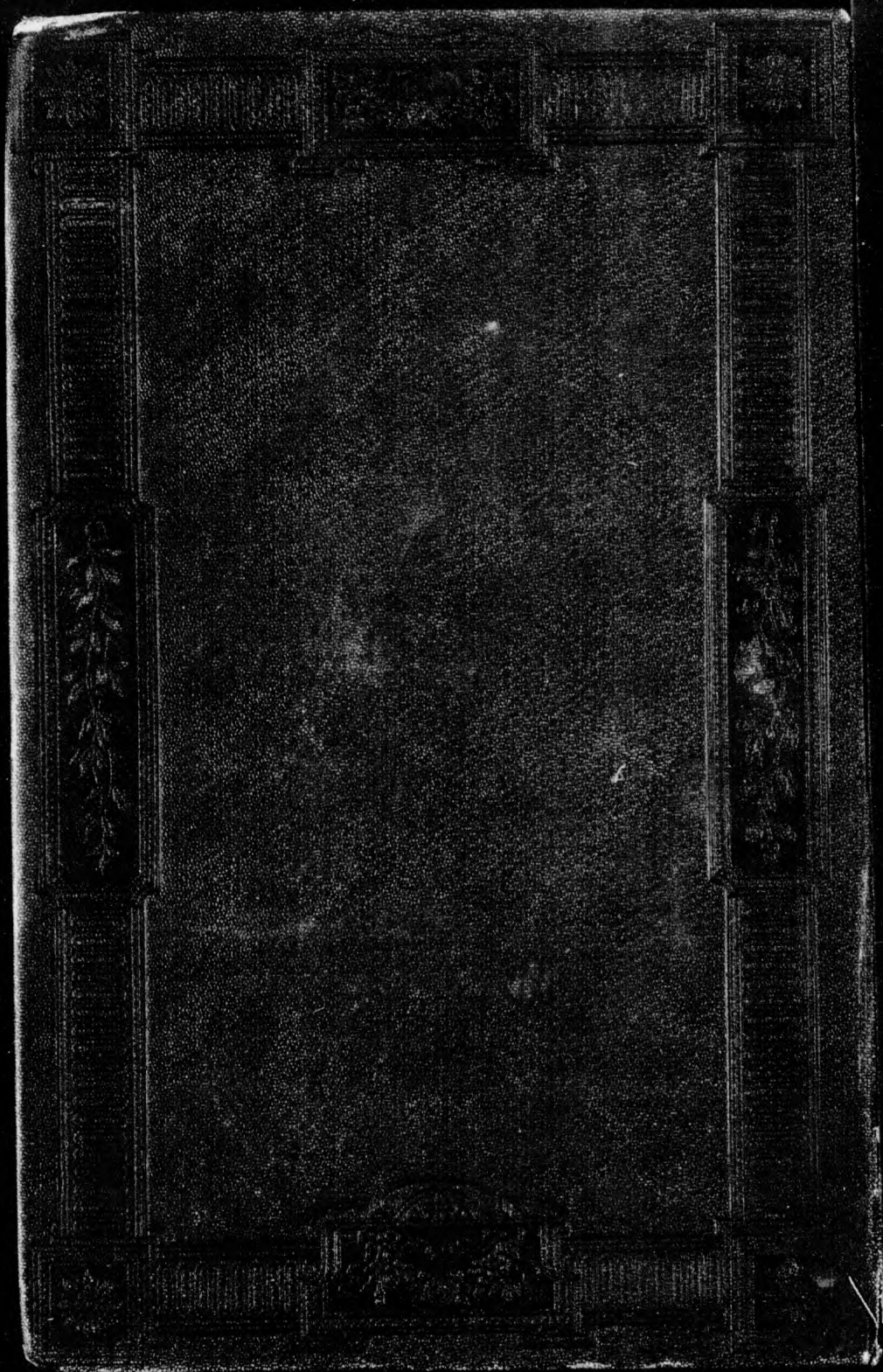
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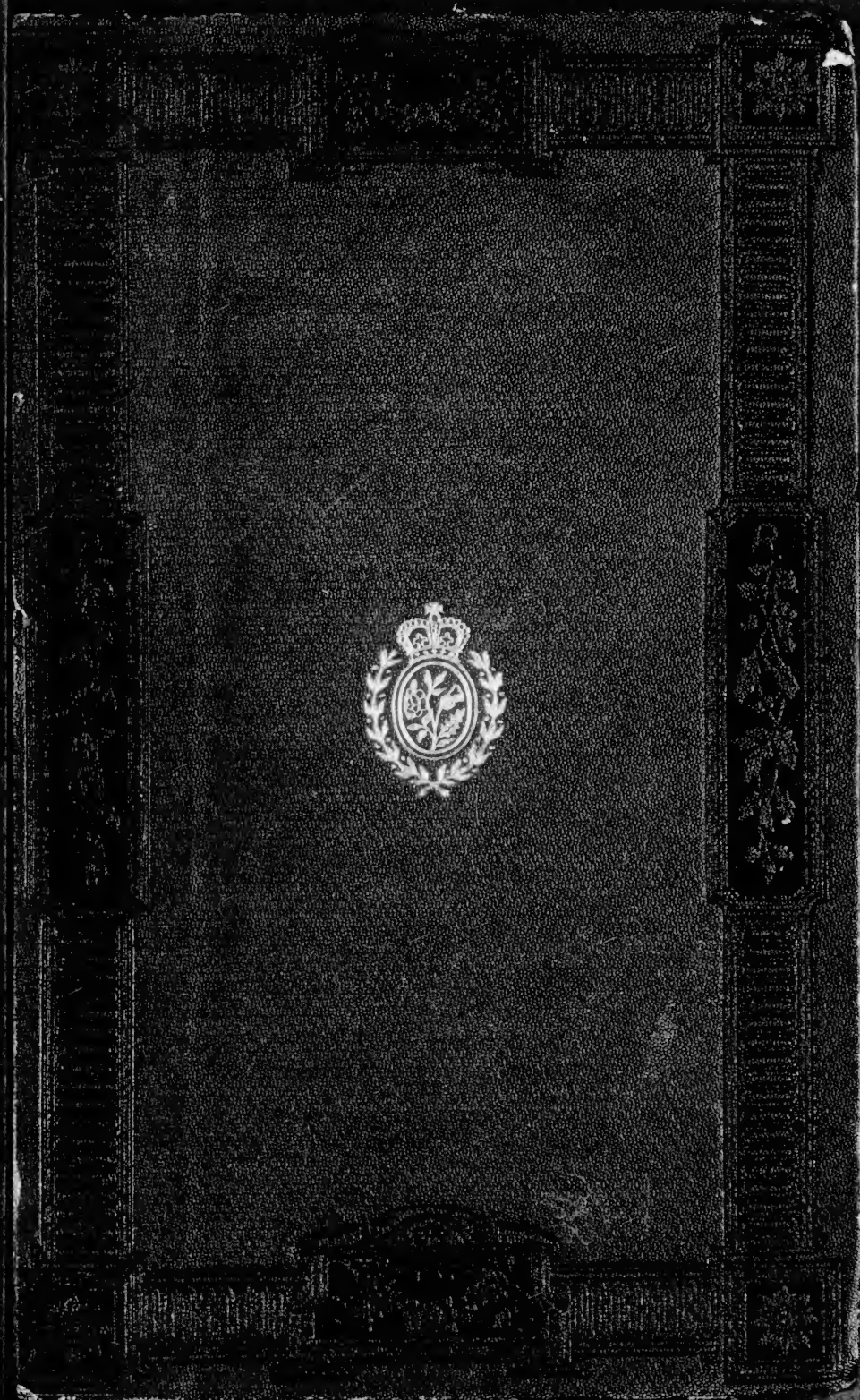
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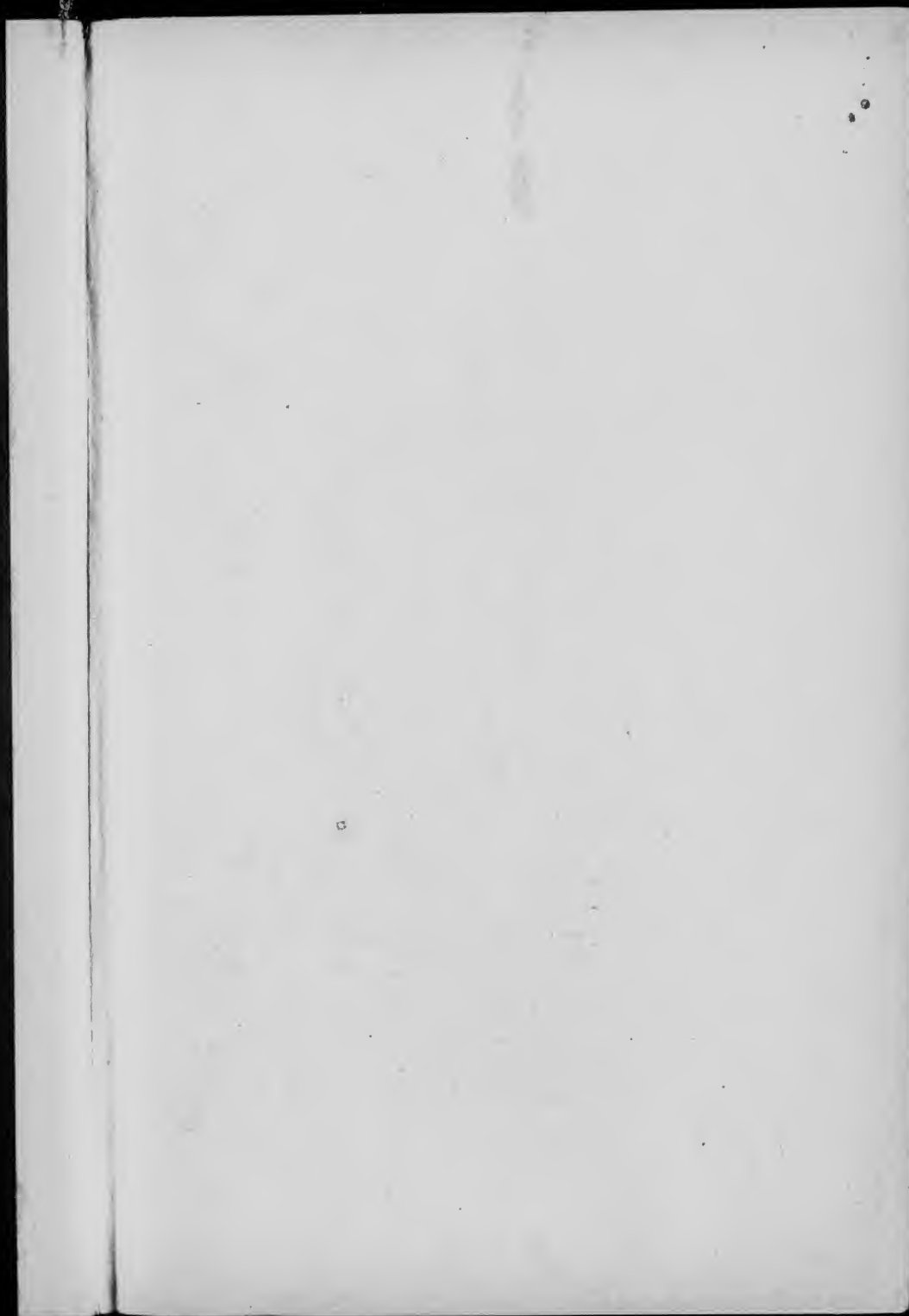


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VOLUME 3





A HISTORY
OF
THE REIGN OF QUEEN ANNE

A HISTORY
OF
THE REIGN OF QUEEN ANNE

BY
JOHN HILL BURTON, D.C.L.

HISTORIOGRAPHER-ROYAL FOR SCOTLAND
AUTHOR OF A 'HISTORY OF SCOTLAND,' ETC.

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CONTENTS OF THIRD VOLUME.

CHAPTER XIV.

War in the Netherlands and France.

	PAGE
PROJECT OF ENTERING FRANCE BY THE MOSELLE—ITS ABANDON- MENT—THE SECRET MARCH TO THE NETHERLANDS—BATTLE OF RAMILLIES—TRIUMPHANT PROCLAMATION—THE TWO FORCES— BATTLE OF OUDENARDE—RECOVERY OF BRUSSELS, LOUVAIN, AND OTHER TOWNS IN THE NETHERLANDS—ATTEMPTS TO TREAT FOR PEACE—CROSSING THE FRENCH FRONTIER—SIEGE AND CAPTURE OF LILLE AND TOURNAI—MILITARY REVIVAL OF FRANCE—VAST ARMIES ON BOTH SIDES—BATTLE OF MAL- PLAQUET,	1-50

CHAPTER XV.

The Revolution at Court.

THE QUEEN AND THE DUCHESS—THE QUARREL—RISE OF ABIGAIL —HARLEY, HIS INSCRUTABILITY—DISMISSAL OF GODOLPHIN— HIS RECEPTION OF IT—HIS PROPHETIC WARNINGS—THREE CONSPICUOUS STATESMEN: BOLINGBROKE, HARLEY, AND WAL- POLE—THEIR RELATIVE CAREERS—GUISCARD'S ATTACK ON HARLEY—A NEW PARLIAMENT—THE OLD MINISTRY ATTACKED THROUGH THE WAR IN SPAIN—EXPEDITION TO QUEBEC— COMMANDED BY ABIGAIL'S BROTHER—THE HOUSE OF LORDS —THE TWELVE NEW PEERS—THE FALL OF MARLBOROUGH,	51-98
--	-------

CHAPTER XVI.

The Treaty of Utrecht.

DEATH OF THE EMPEROR OF GERMANY—SUCCEEDED BY THE ARCHDUKE CHARLES—HE NO LONGER A PRACTICAL COMPETITOR FOR THE CROWN OF SPAIN—PROSPECTS OF PEACE—INTERESTS OF BRITAIN IN ADJUSTMENT OF TREATY—NAVY AND COLONIES—THE POSITION OF THE NORTHERN POWERS—SWEDEN AND CHARLES XII.—MARLBOROUGH'S VISIT TO HIM—PETER THE GREAT AND RUSSIA—NOT ADMITTED TO THE GRAND ALLIANCE—DIFFICULTIES FROM THE ARREST OF HIS AMBASSADOR IN LONDON—THE CONFERENCE OF GERTRUYDENBERG—THE CONFERENCE OPENED AT UTRECHT—REPRESENTATION OF THE COMMONS—STIPULATIONS OF THE TREATY, . . . 99-141

CHAPTER XVII.

Ireland.

DIFFERENCE IN THE RELATIONS TO ENGLAND OF SCOTLAND AND OF IRELAND—QUESTION OF INCLUDING IRELAND IN THE UNION OF 1707—THE EARLY CIVILISATION OF IRELAND—QUESTION OF SUSCEPTIBILITIES TO INCIPIENT CIVILISATION AND INABILITY TO ADVANCE—THE TRADE JEALOUSIES OF ENGLAND PROMPT OUTRAGES IN IRELAND—THE WOOLLEN TRADE PUT DOWN IN IRELAND, AND LINEN SUBSTITUTED—HOW THE PRIVILEGES FELL TO SCOTSMEN INSTEAD OF IRISHMEN—COMPARATIVE FERTILITY IN IRELAND AND BARRENNESS IN SCOTLAND—SUBSEQUENT REVERSAL OF THE CONDITIONS—PENAL LAWS IN IRELAND, 142-183

CHAPTER XVIII.

London.

THE TWO GREAT CAPITALS OPPOSITE EACH OTHER—SECURITY FROM ATTACK—DIFFICULT NAVIGATION OF THE THAMES—QUEEN ELIZABETH'S LONDON, AND QUEEN ANNE'S—THE WALLS AND GATES—STREETS—THE ROW—REMNANTS OF ROMAN LONDON—THE TRAINED-BANDS—GOVERNMENT AND POLICE, 184-207

CHAPTER XIX.

The Four Last Years.

THE CHURCH OF SCOTLAND—CASE OF GREENSHIELDS—ESTABLISHMENT OF APPEAL TO THE HOUSE OF LORDS—ABOLITION OF PATRONAGE—ACT AGAINST OCCASIONAL CONFORMISTS IN ENGLAND—THE LEGISLATION OF THE PERIOD—THE ASSIENTO AND THE SOUTH SEA ACT—THE COMPANY—MONOPOLY OF THE SLAVE-TRADE BY BRITAIN—THE SITUATION AND THE JACOBITES—QUARREL BETWEEN BOLINGBROKE AND OXFORD—THE QUEEN'S DEATH—THE CRITICAL ASSEMBLING OF THE PRIVY COUNCIL, 208-237

CHAPTER XX.

Intellectual Progress.

THE LITERATURE POPULAR WITHIN THE PERIOD—THE AUTHORS OF THE PERIOD: POPE, ADDISON, SWIFT, DEFOE, TOM BROWN, NED WARD, GAY, PARNELL—THE PERIODICAL PRESS—MALIGNITIES—DEFICIENCY OF VERNACULAR LITERATURE IN SCOTLAND, AND THE CAUSE—DEPRESSION OF PICTORIAL ART: YOUNG HOGARTH—ARCHITECTURE—TRIUMPH OF SCIENCE: NEWTON, 238-316

INDEX, 317-338

THE
REIGN OF QUEEN ANNE.

CHAPTER XIV.

War in the Netherlands and France.

PROJECT OF ENTERING FRANCE BY THE MOSELLE—ITS ABANDONMENT—THE SECRET MARCH TO THE NETHERLANDS—BATTLE OF RAMILLIES—TRIUMPHANT PROCLAMATION—THE TWO FORCES—BATTLE OF OUDENARDE—RECOVERY OF BRUSSELS, LOUVAIN, AND OTHER TOWNS IN THE NETHERLANDS—ATTEMPTS TO TREAT FOR PEACE—CROSSING THE FRENCH FRONTIER—SIEGE AND CAPTURE OF LILLE AND TOURNAI—MILITARY REVIVAL OF FRANCE—VAST ARMIES ON BOTH SIDES—BATTLE OF MALPLAQUET.

THE battle of Blenheim saved Vienna from a visit by a French army. There was nothing more to be effected on the Danube, and Marlborough resumed his favourite project of penetrating into France—perhaps marching to Paris. His marches had given him opportunities for a close study of the various available entrances to the heart of France, and he selected the valley of the Moselle, joining his army near Treves. Hence he marched across the hill-country to the Moselle, a few miles below Sierck. He found a paved Roman road suitable for his purpose,

being virtually a continuation of the paved streets of Treves. A detachment turning towards the valley of the Saar, Marlborough with the main army reached the declivity whence he could look down on the Moselle, some fifteen miles below Thionville. This is a strongly-fortified town. It had changed its name when it fell into the hands of the French, but now having returned to the old masters of Germany, it has resumed its old name of Didenhoven. Thence for about ten miles the banks of "the blue Moselle" are broad stretches of flat diluvium. At Sierck the river pierces a mountain-barrier, with masses of rock on both sides, but chiefly on the right—the direction where Marlborough's march lay. These heights are picturesquely crowned by an old fortress. It has a very formidable aspect, but it would have been worthless even in that day as a fortress capable of standing a siege. As a point of defence, however, for an army, it was a powerful addition to the rocky ground. Here Villars took his post. Not absolutely relying on this formidable line of defence, Villars paid his enemy the compliment of securing his own retreat. He cut a broad road through the forest district in his rear. He laid down a double row of beams to smoothen the road for the wheels of tumbrils and waggons—such a work as might now be called a tramway.

There were charges of delay against the new German auxiliaries, and of pedantic obstinacy against the Dutch. But it may be easily believed that no addition to Marlborough's army within the bounds of probability would have justified his attempting to force so strong a barrier with an army behind it.

On the question how he felt on the occasion, the world was not enlightened. But we can see in recent events both the depth of his sagacity and the extent of his disappointment, since he was on the track that carried the Germans to Paris in 1870. It was an occasion to bring out all the flexible powers of his character. He was not one of those who determine to take their adopted path, and call their stupid obstinacy firmness. Persons so gifted with an obstinacy, dignified in their nomenclature as firmness, conscious of fundamental weakness of purpose and unreadiness of action, nail, as it were, their resolution to the masthead, that their purpose may remain fixed beyond the influence of their reason. Marlborough was ever ready at once to change his adopted course of action when a better presented itself. He had a justification of many wailings from the Netherlands to come to the rescue. Whether he deliberated much or little on his projects, he was prompt in execution, for he had marched eighteen miles rearwards—a long day's march—ere Villars found that he was not facing him, and ready to attack Sierck. He had to leave much baggage and munitions at Saarbruck. They were put under a guard of auxiliaries, who were charged with many deficiencies for yielding them to the enemy. But Saarbruck, in a pit surrounded by steep hills, however powerful it might be in the hands of a large army, could not be held against such an army by a garrison in the town and its poor fortifications. Marlborough joined the force of Overkirk on the 20th of May 1706, and his sudden appearance compelled Villeroy to abandon the siege of the strong citadel of Liege. Villeroy

and the Elector of Bavaria had laid down a powerful line of defence through ground very susceptible of defence, because it was not commandable by heights, and yet, to a march, presented natural obstacles capable of being made difficult by defensive works. Another feature of the country was its reticulation by broad paved roads, giving to whoever had the command of them a mighty advantage. It passed chiefly through the marshy sources of small rivers, sometimes taking the rivers in their gentle current, between banks not many feet high, but in some places steep, and in others wet and slippery. The extreme right of the army was on the Maas, passing thence to another small water-course called the Mehaigne. It then stretched to the Little Gheet, passing it towards the Great Gheet—not a great river. Its course joins the Dauer; and from Acrobot, reached along this river, works were raised uniting the whole articulation of the line of defence with the strong fortresses of Antwerp. On the 23d of May the hostile armies faced each other.

With an eye to the peculiar nature of the ground, Marlborough had given orders that each mounted man should carry a truss of grass or hay at his saddle-bow; it might serve for fodder if it were not employed in another purpose—a makeshift for hurdles in crossing morasses or shallow streams. It seems that, whether by some ingenious device of the assailants, or a mistake on his own part, Villeroi had left the centre of the line beyond the Little Gheet imperfectly protected, and there the allies charged, and broke the line, after a desperate struggle. This was a great achievement, and after some secondary operations it was followed by a great battle.

Ramillies is a village some eighteen miles southward of Louvain. The country around it may be called the Highlands of Brabant. The marshes supply the Gheets and other streams, small but important in their district; and over all is a low range of hills with a gentle and generally uniform ascent. This feature of uniformity had its influence on the battle that was to come. When hills are broken or abrupt, troops on the march cannot be sure that they are absolutely invisible to the enemy, or at least are to remain so, because an abrupt ascent or turning may make two parties visible to each other at once. But where there is a gradual ascent with a uniform curve, and two parties are so distant from each other that the diameter from the culmination of the curve to the base of the segment is greater than the height of a man, two bodies of infantry will be invisible to each other; and if both are marching at the same pace, and with the same conditions as to the curve, both will continue to be invisible to each other. The French were extended in a segment of a circle round the highest elevation, conspicuous by an ancient barrier of stone and turf, apparently about thirty feet high, called Ottmond's tomb.

The enemy being in the arc and the allies in the diameter, these had a shorter way to either end than their enemies. Marlborough—ostentatiously, as it was said—exhibited a powerful force on his right, opposite the French left; and to protect this the French brought a strong accession in that direction from the centre. Marlborough, his force concealed by the ascending arc of the hill, marched along the cordon of the horizontal arc, passed the extremity of

the French right, and presented a preponderating force against their centre. Villeroi saw that it was there, and not where he was, that he and his force should have been at that moment; but it was too late for this discovery to be effective, since Marlborough had gained a superiority he would not be easily compelled to abandon.

From that moment the fighting on the side of the allies was with a superior force to that of the French. Still the affair was not like others of Marlborough's, where the nature of the country helped him to a tactic that enabled him to scatter his enemies. The enemy showed spirit and strength enough to make the contest hard and bloody, especially at the point where a splendid body of French troops, their Life Guards, made a furious charge. The French commander, finding his troops broken and demoralised, attempted by a diagonal retreat to find a spot where he could form them for a second attack. The ground he had passed over, however, was thickly strewn with the wounded and the dead, dismounted cannon with their shattered carriages, and baggage-waggons. Before he could effect his purpose, Marlborough was upon his unformed troops with a grand charge of all the cavalry and infantry at his disposal, and the effect was the instant dispersal of Villeroi's whole force. Six thousand prisoners were taken from the enemy, with abundant trophies, and their killed and wounded were counted at 7000. But the loss was heavy on the victor's side—of absolutely dead on the field 1060, and of wounded 2560. The political gain, however, was vast. The battle of Ramillies brought, or rather drove, to the cause of the Austrian, Brussels,

Louvain, Ghent, Bruges, Mechlin, and a group of inferior towns. This battle concludes an epoch in the branch of the great war fought in Germany and the Low Countries.

In a triumphant tone, unusual in diplomatic instructions, Stepney, the English ambassador, was instructed to make provisional arrangements for the new acquisitions of "the Crown of Spain," as they were appropriated by the creed and nomenclature of the Grand Alliance: "Whereas, since the victory obtained at Ramillies, by the blessing of God upon our arms and those of the States-General, the cities of Louvain, Brussels, Antwerp, Ghent, Bruges, and Ostend, with the greatest part of Brabant and Flanders, have owned King Charles III. for their lawful sovereign, and it will now be necessary to have a settled regular government in these countries," and as this cannot be immediately done "by reason of the great distance the King of Spain is at present," Stepney, as "envoy extraordinary," is directed, in conference with the States-General, to take such steps, as may be found best for keeping the newly-acquired communities "in their allegiance to this king, and be most for the security and advantage of the common cause."¹

In continuing the history of the war, though we are still to follow victory after victory on our side, yet the significance of such events had changed, and the change was visible between the two great battles of Ramillies and Oudenarde. When the war began, it involved an attack by a mighty Power that had gradually reached a supremacy in Europe,

¹ Stepney Papers, i. 1; Brit. Mus. MSS. 7058.

threatening the independence and separate existence of all the other Powers. It could not attack and crush them all in one conflict, but it was more powerful than any one of them. Its nature was to be gradually aggrandising itself by the absorption of other states or by unequal alliances, where the stronger power was master and the weaker had to obey. The sovereign of this territory had crushed the local and seignorial institutions that might have checked him in the pursuit of ambitious projects injurious to the nation or to any of its institutions, patrician or municipal. He had a faith in his own mission towards the supremacy of the world, and the reverses that might bring on others doubt and despondency were but the little incidents that gave zest and impulse to the great victorious march. There had been a time when he, also, gained victory after victory. There was an impression among his conquering commanders that his influence made them invincible; and as they had hitherto justified this faith by practical results, it came to be felt among the surrounding states that to thwart or oppose him was something akin to a defiance of the fixed decrees of fate.

When Blenheim, and afterwards Ramillies, had been fought, the world was awakened to a new light. It was not only that the aggrandising Power, spreading consternation before it, had been weakened or wounded—it was absolutely broken. No doubt its existence would be protracted—it would be troublesome and dangerous in detail; but its supremacy over Europe was gone in the meantime, whether or not a later generation should see it

renewed to rule either from its centre in Paris or some other.

Perhaps the armies that France was yet to bring forth might be more wonderful achievements for a military government to show than even the brilliant host that had been destroyed at Blenheim. But they were not the soldiers, haughty and confident in an unbroken career of victory,—they were the refuse of the male population, dragged by force from the small sterile holdings of the peasantry, or from the unwholesome recesses of walled towns.

There was not in Britain much popular enthusiasm for such a contest as these conditions offered, yet it could not be dropped by statesmen. They had committed themselves to a policy where all Europe had divided itself into two armies, and they must hold by their own. There were mighty interests yet to be adjusted, and these must not be left to chance. The Spanish succession—the great source of the whole quarrel—was not yet settled, but it had come much nearer than ever to a settlement in favour of the French candidate. The aggressive power of France being broken, there was not in the question who should rule in Spain anything of deep practical importance to our nation, and nothing was more likely to shake the British empire than the home question, Why should this costly and bloody war be tolerated? So early as the summer of 1706 we find the watchful and sagacious Godolphin saying in a letter to Marlborough, referring to the state of the war in Spain: "Upon the whole, I am afraid this war may draw into length; and consequently, unless it succeed beyond expectation, we shall have

difficulty enough next winter to justify the extraordinary expense."¹

There was a faint attempt to resuscitate the ardour of the trading interest by directing attention to the great source whence many had achieved fortunes — "the Indies" — the American colonies of Spain. It was a sort of compensation for the defeats and mortifications falling on the French that Spain was gradually becoming theirs by the inclination of the people. If Britain, then, were to accomplish here such military triumphs as she had achieved in Germany and the Netherlands, she would have a voice in the disposal of everything that was Spanish, the Transatlantic trade included. This was speaking to the ruling English motive of the day. But it spoke in vain, for the chances of Britain having anything to say in the disposal of Spain were already gone.

Then, in the interval before the great contest was so fully renewed as to report to the country a succession of victories, there came in Britain one of those stagnations in trade that spread over the land a greater sense of depression than any it had lately suffered from the three venerable judgments of "plague, pestilence, and famine." It took some colouring from the other three plagues, "battle, and murder, and sudden death;" for the losses of valuable lives in the war had been so many that the griefs of widows and orphans had been noticed throughout the country.

There is always in one or other of the Houses of Parliament some man with a fluent tongue, a benevo-

¹ Marl. Desp., iii. 125.

lent disposition, an enmity to secrecy, and a love of popularity, who, to the dismay of his more reticent comrades, tells from his place to the world such disagreeable things as they have restrained in whispers and care-laden looks. The passages now referred to are from a speech at the opening of the first united Parliament. When the Commons passed an address of the usual kind on the queen's speech, it was noted that none had come from the Lords, and something unusual was anticipated. They dropped into a debate on the state of the nation, and the great decay of trade. This appears to have been started by a petition from the Sheriff of London on the losses that had been sustained at sea by inefficiency of convoy. It was presented by the Earl of Wharton, who, we are told, opened the debate on the miserable condition of the nation, and the great decay of trade. Several other peers followed in the same tone, but only the speech of Lord Haversham has been handed down in what professes to be a full report. He lay, indeed, under strong suspicion of supplying his own speeches to the press,—an awkward civility at a period when publishing reports of speeches in Parliament was a breach of privilege liable to be punished. There is a characteristic touch to be found more than once in his speeches. He turns from the "state of the nation" to the state of England, and apologising, "I ask your lordships' pardon that I have not yet forgotten that beloved name—I mean Britain." "Our condition," he then says, "is very low and desperate, and yet I think myself obliged to do all I can towards the helping of a poor sinking island, though I am convinced at

the same time it will prove very insignificant. My lords,—the two things you have now under your consideration—your fleet and your trade—have so near a relation, and such mutual influence upon each other, they cannot well be separated. Your trade is the mother and nurse of your seamen, your seamen are the life of your fleet, and your fleet is the security and protection of your trade, and both together are the wealth, strength, security, and glory of Britain.” This might have been accepted in later times, when oratory became fashionable, as a good climax; but the serious business in hand, both in the Union and the war, seemed to have rather damped than promoted oratory. Haversham in England was coupled with Belhaven in Scotland, and perhaps when he came to the real point that we are now looking at—the private griefs attending a war, even when it is a successful war—he might have done more service by statistics than by oratory, though we cannot doubt that there was fundamental truth in what he said of “the moving objects of sorrow we meet with everywhere. The tears of the fatherless and cries of the widows have raised both a compassion for the oppressed and indignation against the authors of those misfortunes;” though one would like something more explicit as to the object of the next clause,—“and the very flames which of late have blown abroad, nobody knows from whence—and papers have been cried in your streets—are all marks of the great ferment the nation is in.”¹

¹ Parl. Hist., vi. 598, 599. Defoe uttered through his ‘Review’ a pasquinade on this speech, thus:—

Q. Why did the noble peer speak nonsense?

In a letter to his illustrious friend Pensionary Hensius, dated on the 5th December 1707, we have a brief note of the state of the country from Marlborough:—

“Though we seem at London to make a good appearance, yet if you could be thoroughly apprised of the great scarcity of money in the country, and the decay of trade in our seaports, you would not think our condition to differ much from what you represent Holland to be in. However, we are still willing to exert ourselves, and to do our utmost for the prosecution of the war, as you must own we have not been wanting to do, even from the beginning. But as to the augmentation of troops for the next campaign, the dispositions are such here that I must be plain with you—that there is little hope of its having its rise on this side, unless you can give me a handle to press it, by assurance that the States are so far convinced of the necessity for it, that they will likewise do their part; and therefore I pray you will lose no time in letting me know how far they can be induced to it. I confess it is very melancholy to

A. Not because he knew no better.

Q. But why did he print that nonsense, too?

A. Because he thought the people easy enough to be imposed upon, and to be jingled into anything.

Q. But what has the noble peer said?

A. Nothing at all.

Q. But what did the noble peer think he said?

A. Nothing to the purpose.

Q. But why did the noble peer say it, then?

A. Because he has been used to do so.

Q. But what did the noble peer mean?

A. Nothing.

Q. And why did he mean nothing?

A. Because he used to mean nothing.—Review, v. 514.

reflect how little the emperor and the empire have done in this war for their own preservation, and how little they seem disposed to exert themselves at present, when their all is in a manner at stake."¹

In the lull of war between Ramillies and the battles that were yet to come, it was destined that a mighty temptation should fall in Marlborough's path. He found himself selected to be Viceroy or Governor-General of the Netherlands—a position with rank second only to that of an absolute sovereign. It would be a costly dignity, but already he was rich enough to play the part of a petty German sovereign of the Empire; and the country where he was to command being the richest district on the European continent, he was to have a salary or revenue amounting to sixty thousand pounds of English money. It was an advance in the path of greatness strictly in harmony with his existing rank as a prince of the Holy Roman Empire. What glittering vista of the future it might hold before a bold ambitious man, no one could estimate better than Marlborough; and no one had more courage and capacity to deal with dangers and difficulties, if any were in the way. And he found difficulties. The nomination came from the Emperor, but before the appointment was completed other parties would appear. The Emperor was acting for his son, "the King of Spain." But it was open to question whether the territories were not more legitimately at the disposal of the Empire, acting solemnly in Diet, than of the King of Spain; and it was an evil prospect for the United Provinces to have either of these Powers as a close neighbour.

¹ Despatches, iii. 650.

If Britain were, as the natural result of her fortune in war, to put in claims for a share of the territorial spoil, after the example of the other Continental Powers, the end would be still more calamitous, as it would put the Provinces on land at the mercy of their rival on the sea. By the Dutch people Marlborough was adored. The peasant among the cattle in his rich polders, the citizen among his tulips and floating mermaids, remembered that he owed the preservation of all his comfortable and pleasant surroundings to the gallant Englishman. The Dutch were not profuse in the expression of their partialities, but they broke through their usual reserve on the occasion of their hero appearing suddenly among them, when he was believed to be in the hands of their tyrant enemy.¹ But the Dutch Government was jealous of the project, and we may see in their sense of danger to the independence of the Provinces, a sufficient palliation for this feeling, without concurring in the

¹ "He came here on Wednesday, the 10th, about noon. At his entry, and all the time he was here, greater compliments were put upon him, both by magistrates and common people, than ever were given to any. The Pensionary was appointed to harangue him. He was treated with a comedy the first night. The next day he was carried through the city with a train of coaches to see all the principal places, and afterwards entertained with a splendid dinner. He parted for the Hague this morning by five, yet then all the burgomasters attended him to the gate.

"All the time he was here the common people were on the streets as in days of solemnity, the better sort bespeaking and hiring windows to see him as he passed. When in the senate-house, one of the burgomasters took me to the window and bade me observe the crowd and their rejoicings. When his Grace showed himself they cried, 'Long live de Herzog von Marlborough!' More such honour could not be done to a king, nor had the late king ever so much here. You see, then, how our people honour your queen and her general."—Cockburn to Lord Nottingham, from Amsterdam; Brit. Mus. MSS. 29589, f. 438.

suspicious that the Provinces desired an aggrandisement of territory by accessions in the districts broken up by the war.

Marlborough wrote very simply on the matter to his great kinsman the Lord Treasurer. He spoke in deference to the queen's commands, but in the hope that she would not object to his declining this distinction. He mentioned the difficulties with the Dutch, saying, "The advantage and honour I have by this commission is very insignificant in comparison of the fatal consequences that might be if it should cause a jealousy between the two nations. And though the appointments of this government are sixty thousand pounds a-year, I shall, with pleasure, excuse myself, since I am convinced it is for her service, if the States should not make it their request—which they are very far from doing."¹ This affair is surely worthy of consideration by those who desire fairly to estimate the charges of selfish greed that have been so plentifully let loose on Marlborough.

For all his desire to propitiate the Dutch and their Government, yet he closely watched them, and subsequent revelations show that he spoke prophetically in this suspicion, briefly announced to Godolphin. They are all "so very extravagant about their Barrier that I despair of doing anything good till they are more reasonable, which they will not be till they see that they have it not in their power to dispose of the whole Low Countries at their will and pleasure—to which the French flatter them."²

The whole Low Countries—the United Provinces, as Protestant communities—the Belgic, as adherents

¹ Coxe, ii. 393.

² To Godolphin, Coxe, iii. 79.

of the Church of Rome,—are signal instances of the power of civil governments to thwart and control religious creeds. There are no more zealous Protestants on the one side and Romanists on the other than those separated by the line drawn at the Treaty of Westphalia. If the Dutch had an ambition for aggrandisement of territory, here would seem to be an insuperable boundary; but in what they called their Barrier—the barrier they desired—they included Romish Brabant.

Whether or not the advisers of King Louis were also watching the policy of the Provinces, it occurred at this period that he increased their restlessness by some overtures about a conference to settle matters in dispute. The States were faithful, however, and passed the proposal on to the allies. The messenger of this proposal was not a person likely to be employed in arranging a general conference for a peace. It was that dissipated Elector of Bavaria, who had by so nimble a feat handed over the towns on the Maas to the French, and had caught his reward by the ruin of his army at the Schellenberg and Blenheim. The result was a conference of another kind—a conference of the heads of the allied armies. The Elector had written separately to Marlborough, announcing that "his most Christian Majesty has observed with concern that all attempts hitherto made by private channels to bring about an accommodation, have failed."

There come epochs in history, and especially in the history of a war, where claims and counter-claims are so intermixed and ravelled, that they cannot be easily adjusted so as to leave only two parties, or even as

few as three, on the stage of diplomacy. The Dutch were eager and anxious about the settlement of their barrier. It was, or at least had just been, matter of life or death to them. If the issues of the war did not protect them they must flood their polders, and subsist or die gradually out upon the waters. With the strength of the cause they found themselves embarked in, their mere barrier seemed safe; but they wanted something further, something that would make such a shifting of boundaries as should only occur in a European recasting of territories. Spanish Flanders had now no owner, why should it not be theirs? But the etiquette that kept a king of Spain ever in view was thrown in their way, and these provinces were for diplomatic conference as absolutely the dominions of Charles, King of Spain, as if he reigned there. Then even in dictatorial Britain there were secret considerations not to be safely handled before the world. In this great war the actual fighting was seldom interrupted by diplomatic discussion; but when it was, there ever lurked under it the unnamed fact that Britain would consent to no general established peace that left a possible entrance to the house of Stewart—that did not virtually, if not in words, confirm the succession in the house of Hanover. It only drew attention to the point, unconceded, that the offers of a compromise by King Louis included an obligation to acknowledge the queen's title. We may infer from the deliberate stand against any conference, with a view to a settlement, taken by Marlborough, that he could see nothing in the proposal but a temporary suspension of the war to enable King Louis to cultivate his remaining

resources until he could renew the war with an army refreshed and recruited. The answer received by the Prince of Bavaria to his proposals for a conference contained words that had little meaning unless they implied that the policy of the King of France, being anticipated, was met by a counter-threat. The Queen of Britain learns with pleasure the "pacific intentions" of the King of France. She is pursuing the war with the view of achieving "a solid and durable peace;" and "nothing could gratify her so much as to be able, in concert with her allies, to arrive at an accommodation which might relieve her from the necessity of being obliged to resume her arms at no distant interval." In conclusion there came a decisive utterance from the sovereign of Britain. "She does not wish to disguise her opinion that the proposed opening of general conferences, without a distinct previous announcement on the part of his most Christian Majesty of the basis on which they are to proceed, is not likely to lead to the desired result."¹

Though attempts to negotiate were thus fruitless, yet there was at this time a virtual truce until summer. All the forces remained stationary, the most considerable alteration on the side of the allies being the acquisition of a body of Prussians—the payment of the debt of gratitude due by the Elector for the material assistance that Marlborough and public opinion in England had given him in closing his crown. During that short cessation Marlborough was in England, where he found, and had in some measure to deal with, the shiftings of Court influence and the critical political conditions falling hereafter

¹ Hist. of Marlborough, ii. 224.

to be treated in their place. When he returned to the head of his army he found the French force exemplifying the wonderful elasticity of the military materials of the country, by meeting recruited, refreshed, and to all appearance as formidable as when first he met it. The working command of the recruited French army was given to Vendôme, who had gained laurels in contest with Prince Eugene in Italy. Except that he was brave and accomplished in handling troops, whether in large or small masses, he had nothing in common with Marlborough. He let his subordinates shift for themselves, and would find his troops starving or naked; and he had small skill in deploying them for concentration or dispersal. He was sent, as the king said, to restore the old national spirit of impetuosity and courage to the French troops, and he might have done this had he come alone. But he had the Duke of Burgundy to thwart him, and to impede the motions of the army with his gorgeous and cumbrous train.

It seems to have been the ambition of Vendôme to rival the earliest achievements of Marlborough by taking back to France one by one all the strong places that had fallen to England. The greater portion of these, as we have seen, had been taken by Marlborough, almost without bloodshed, before he began his conquering career. Three of them—Ghent, Bruges, and Oudenarde—were trophies of the great battle of Ramillies. Ghent and Bruges, scarcely protected, were easily occupied. Marlborough becoming watchful, saw that the tendencies of the next design were towards Oudenarde, a critical fortress on the Scheldt, but too assailable from decay and neglect.

He made such preparations in gathering his available troops as at once let Vendôme see that this would be a critical affair.

It gave confidence to Marlborough that his trusty comrade Prince Eugene was not too far off to come at his cry for succour—he held a force on the Moselle. They met on the 7th of July. The concentration of bodies of troops scattered in several groups were accomplished by the two companions in arms with signal promptitude and skill. But there was a cause of strength behind all that skilful tactic in the march and the field could accomplish. The ample commissariat provided by Marlborough's kinsman, the Lord Treasurer, kept his army well clothed and fed, and prepared at any time to take a forced march as an exciting variety to the monotony of a well-fed camp. And the whole junction was accomplished with a celerity that gave the new army in the valley of the Scheldt all the effect of a surprise.

With the mighty force he had thus so successfully gathered, the commander was not to be content with merely raising the siege. Instead, therefore, of pressing close to the walls of Oudenarde, he formed on the other side of the river, where he lay between Vendôme and France, and so between him and reinforcements, as well as retreat. What followed was a very bloody affair, but not a battle, fought after a carefully-adjusted tactic on both sides. The formation of the country did not admit of this, and no commander would have chosen to meet his enemy in a place so destitute of the elements for selection of ground. There are slight eminences scattered around, but they are incapacitated by close cultivation and bushes

for commanding stations. Every inch of ground is, and from time immemorial has been, closely cultivated, the roads being merely paths from field to field for agricultural purposes. At the time of the battle—the middle of July—the tall wheat crop peculiar to the district must have been at its height. It was an element in the surprise to the French army that their enemies must have marched fifteen miles through this difficult country to be within fighting reach of them. The armies are supposed to have been nearly equal in number—80,000 on our, 85,000 on the French, side.

With the first charge—the *élan*, as they like to call it—the French seemed to carry all before them; but the affair merged into countless close contests, where they found fighters stronger than themselves. The Duke of Burgundy, five years after the time when he gained a *Te Deum* at Notre Dame, and was pronounced a sage and skilful soldier, was not likely to be less self-relying. It is said that he twice interfered to counter-order what Vendôme had ordered; and that, while the first did fatal mischief, the second destroyed whatever hope the other had left. Darkness stopped the fighting, for it was hard to know enemy from friend. Vendôme gathered a small compact party ere it was too late, and safely removed the prince. The number of killed and wounded on the French side was counted at 6000; but their force was diminished by a cause less lamentable—their dispersion when daylight came, and they found that they had no hierarchy of commanders and followers to receive them into its protection.

If Marlborough, when he was stopped in his at-

tempt to ascend the Moselle, was awakened from a dream of a march through France, his recent victories had now brought him to the beginning at least of such a march as a sequence of cause and effect. Surely it must have touched him with some troubled thoughts that he might thus meet in battle his mighty nephew; but nothing could be more brief or appropriate to business than the words to his kinsman Godolphin, showing that this other kinsman is close at hand on the war-path. The French talk of taking another detachment from the Rhine, though this “that the Duke of Berwick has brought consists of fifty-three squadrons and fifty-four battalions. He has been obliged to put some of his troops into Lille and Tournai, and is encamped with the rest at Douai.”¹

Vendôme had collected and organised the residue of his beaten army, and if Marlborough penetrated into France, might be troublesome in his rear. Marlborough himself, indeed, seemed to have no doubt that the true course was to march right into France, where there was much panic and little military protection outside the fortified towns; but when his partner, Eugene, doubted this, he dropped it as an immediate project. But he was making preparation. On the 23d of July he writes to Godolphin: “We continue still under the great difficulty of getting cannon; for whilst the French continue at Ghent, we can make no use of the Scheldt and Lys, which are the only two rivers that can be of use to us in this country. We have ordered twenty battering pieces to be brought to us from Maastricht, and we have

¹ Coxe, iv. 167.

taken measures for sixty more to be brought from Holland. The calculation of the number of draught-horses to draw this artillery amounts to 16,000 horses, by which you will see the difficulties we meet with ; but we hope to overcome them. In the meantime we send daily parties into France, which occasion great terror."¹ He was convinced, however, that the French frontier felt itself secure in the belief of the impossibility of supplying the artillery required for an invasion.

There was now something like an inversion of the local position of the hostile parties, and of the opportunities and the perils peculiar to each. Vendôme, though beaten, was yet at the head of a force that might be formidable towards the Netherlands if Marlborough and his force were absent. But then these had passed him on the road to France, and they could enter on "the sacred soil" with little opposition. What should the conqueror do?—remain where he was to guard his conquests in the Netherlands? or take the opportunity to march into undefended France, and, evading the fortified towns, pass inward as far as he could—possibly to unfortified Paris? Marlborough seemed to have dreamed of a march through France when he was stopped on the Moselle by the strong works at Sierck. The march to Paris seemed now borne in on him with greater distinctness and force. The Dutch were dead against it, but then he might shake off if he had the approval—it were still better if he had the fellowship and co-operation—of Eugene.

Eugene was within reach at Brussels, and they

¹ Coxe, iv. 165.

came together on the 24th of July. Marlborough spoke of the march into France as an "earnest desire" in consulting his comrade. He tells the result to Godolphin. "He thinks it impossible till we have Lille as a *place d'armes* and magazine, and then he thinks we may make a very great inroad, but not be able to winter—though we might be helped by the fleet—unless we were masters of some fortified town."¹ It soon became a practical argument against the march through France that Berwick had joined Vendôme, and there was thus an army of 100,000 men to follow on the heels of the invaders.

There was now to be a great resuscitation of the war to the grandeur and excitement of four years earlier. The depressing war in Spain, and the affair of Toulon, had given a tone of lethargy to those who remembered the astounding news of the Schellenberg and Blenheim. If France could throw the vast power of her long-treasured warlike resources into the beginning of the war, there was yet enough, if it were thrust to the front without hesitation or remorse, to astonish the world, though it were with a dying effort.

Marlborough was as usual calm and inscrutable. Whether he was to besiege Lille or march past it—masking it, as the phrase is, on his way to Paris—no man who might betray the secret could tell. Fortune had become for a time kind to the French. The Dutch rule had grown offensive to the Flemish citizens. In Ghent and Bruges they courted and obtained deliverance by secretly giving admission to French troops. While accident restored to the French these towns, they had at hand an army of

¹ Coxe, iv. 137.

close on 100,000 men. Their enemy must get a vast accession of artillery and other munitions whichever of the great alternatives he took; and two commanders—perhaps the next after Marlborough himself in thoroughly justified repute—had their large force between him and the needed supplies, for they held the great channel or water-passage through the Netherlands.

Marlborough did what no one but a commander not only of vast strategic and general technical capacity, but with unlimited wealth at his command, could do. He organised a new traffic communication by land, and defended it so effectively that all his supplies reached him. The method of the organisation for the carriage of the supplies was characteristic of its author. There was no minute planning for small enterprises—some successful, others not, with a history of petty details of personal peril and adventure. The whole was accomplished by the defying march of an armed convoy in the presence of the enemy. There were 16,000 horses in the train, and it was fifteen miles long. The affair drew notes of admiration from the French military critic Fouquières. As his criticisms have generally been severe on his own countrymen they have been translated into English, and what he says to the present point is: "The Duke of Vendôme had formed a great circle round Lille with his powerful army. He imagined that as the enemies were in the centre of this immense circle they would be unable to accommodate themselves with provisions for such a length of time as the defence of Lille might be continued." He has some excuse for the difficulty in believing that "it

was in the power of the enemy to convey to Lille all that was necessary for the siege and supplies of the army; to conduct there all the artillery and implements essential for such an undertaking; and that those immense burdens should be transported by land over a line of twenty-three leagues under the eyes of an army of 80,000 men lying on the flank of the prodigious convoy, which extended over five leagues of road."¹

It did not suffice for the protection of the honour of France at this moment of peril that Berwick and Vendôme, each with a powerful force, were at hand. When it was first seen that Lille might be the critical point there was yet time to throw in reinforcements, and they were brought by the illustrious commander to whom the defence, if there were an attack, was committed—the Maréchal Boufflers. While yet in possession of the fortified city, with the armies under Berwick and Vendôme at hand, the French had an open path for reinforcements and supplies from all parts of the interior of France.

There was thus a great army of support, and it was a serious question how, in pursuance of the grand design, it should be treated. In one sense the Court of France had decided the question by orders to Vendôme and Berwick to fight the force accumulated before Lille in regular battle; but Vendôme was too sagacious to obey this order, and fell on his responsibility as commander in face of an enemy. Marlborough, on the other hand, seems to have felt a strong impulse to fight and drive away this hovering force, but on full reflection over the whole he judged

¹ *Memoirs*, i. 375.

the siege to be in the first place the best policy. In concert with his great companion he divided the army. The prince took the siege operations with a force estimated at 40,000; Marlborough kept the field with some 60,000 as a covering force.

The siege advanced, and in ordinary conditions the fate of Lille would have depended chiefly on a counter-cannonade and the influences of superior weight of metal and superior skill. But it was impossible to overlook in the calculations that French force outside, under two of the most illustrious captains of the day, gradually accumulating until it exceeded 100,000 men. We know that the orders from Versailles to the commanders were unvaryingly to fight the enemy, and as unvaryingly that the obstacles to that were insuperable. At last the minister of war, Chamillard, was despatched by King Louis to see the attack on Marlborough made; but Chamillard, too, was among the prophets. It would appear that the critical issue depended on priority in the accomplishment of a delicate achievement in tactics. Marlborough and Eugene had affected a junction, and were careful that the two hostile armies should not accomplish the same feat. Marlborough, left at peace for a time, made use of it in creating the formidable kind of fortress called an "intrenched camp," a process of strong earthworks brought as near to the character of a permanent fortress as may consist with the freedom of an army for collective action. On the 27th of August the results of the cannonading tempted the besiegers to an assault by two breaches. In the covered-way they lost a large body by missiles and explosion of mines. All that

they effected was the establishment of a small remainder under cover on the enemy's side after a loss of 4000, half of them killed. Marlborough remained in steady communication with his trusty supporter and supplier of his wants, the Lord Treasurer; and at this point he makes his mortification visible. "It is impossible for me to express the uneasiness I suffer for the ill conduct of my engineers at the siege, where I think everything goes very wrong. It would be a cruel thing if, after we have obliged the enemy to quit all thoughts of relieving the place by force, which they have done by repassing the Scheldt, we should fail of taking it by the ignorance of our engineers and the want of stores; for we have already found very near as much as was demanded for the taking of the town and citadel; and as yet we are not entire masters of the counterscarp. So to you I may own my despair of ending this campaign so as in reason we might have expected."¹ On the 20th of September the condition of the breaches invited another grand assault, giving the assailants a hold "on the right of the angle of the left demi-bastion of the tenaillon, and on the left of the places of arms in the covert-way opposite to the principal breach."² Prince Eugene, watching this affair from an advanced battery, was wounded in the head by a spent ball, and Marlborough relieved him from responsibility and fatigue by taking the conduct of the siege. The siege was calamitous to the assailants in loss of life, but in this costly shape it moved on daily, coming nearer to the inevitable end. Ere this arrived, a remedy peculiar to that watery district was tried by Vendôme in

¹ Sept. 20; Coxe, iv. 255.

² *Ibid.*, 242.

opening a portion of the enormous apparatus of sluices protecting the country from drowning. There were hopes that thus Marlborough's supplies would yet be intercepted, but his inventive genius found a remedy in flat-bottomed boats. On the 23d of October, when a new assault was in preparation, Boufflers gave the signal for an offer to capitulate. It was no doubt a bitter signal to the great veteran who had reaped renown in so many honourable shapes in the most illustrious army in the world; but in all his brilliant history no act better became the courageous and humane soldier. It no farther effected the conclusion than by decorating it with the saving of some hundreds if not thousands of lives, to have been taken had Lille been lost under a different technical term.

By the terms of the surrender the garrison were free, and they marched into the citadel still entire. This force, open to attack from a hostile town, had no chance of subsistence without independent supplies; and as all efforts showed that to afford these was impracticable, the citadel surrendered on the 11th of December. So France lost the mighty frontier fortress known as the masterpiece of Vauban, whose nephew—said to be the inheritor of his scientific gifts—acted as commander of engineers in the defence. Had Lille been, like Dunkirk, a sea-board fortress, dangerous to our trade, its demolition might have been demanded in adjusting articles of peace. Being available only for defence, its owners were permitted to retain it, and there is generally a garrison in the citadel. The walls surrounding the town are conspicuous among other city fortifications for the breadth and height of the numerous escarp-

ments and the corresponding depth of the covered-way and other depressions,—the accumulation of strength, and the fate that overtook it, vividly exemplifying the doctrine that fortresses always fall to the strongest power in any contest that touches them. The siege was signalised by the presence of illustrious persons assembled to behold the great drama. In the words of Sir Archibald Alison, "King Augustus, the dethroned sovereign of Poland, accompanied by the Landgrave of Hesse, arrived on the 19th of July at Marlborough's headquarters. The former was here joined by his natural son, afterwards so celebrated as Marshal Saxe, then a boy of twelve years of age, who set out from Dresden secretly on foot, and joined the army alone, notwithstanding all the vigilance of his guardians. Here also Munich and Schwerin, afterwards so celebrated under Frederick in the Seven Years' War, made their first essay in a species of warfare of all others the most exciting and dangerous; and here the Elector of Hanover repaired to add to the laurels already won by him on the field of Oudenarde, and witness the military prowess of the nation over which he was one day destined to reign. Never since the siege of Troy had such a body of chiefs and heroes been collected round the walls of a beleaguered city."¹ There was a sequel to the fall of Lille. Ghent, Bruges, and some smaller strengths that, taken in the early part of the war, had fallen, as we have seen, to the French, dropped back again into an allegiance that, as matter of etiquette, was to Austria; and

¹ The Life of John, Duke of Marlborough, with some Account of his Contemporaries and of the War of the Succession. By Archibald Alison, LL.D., Author of 'The History of Europe.'—I. 411.

thus, to Marlborough's satisfaction, Brabant was clear of the enemy.

In the spring of 1709, we come to the first germs of negotiation—meaning not terms of occupation or surrender applicable to separate fortresses or towns, or even districts, but a deliberate interchange of offers and acceptances, importing a close of the war and a prospect of coming years of tranquillity for Europe. The negotiations generally go by the name of De Torcy, and all the items of them may be found in his full history.¹ It is sometimes a sufficiently hard task to master the details of a treaty registering the completed items of successful negotiations; and it would be a dreary addition to this solid element in history were it necessary to give the failures also, merely because it is a fact that they have been proposed and rejected. It may happen, however, that some incidental point of special interest revealed in such discussions deserves attention in itself.

In the first place, that France should have to treat, after her career of glory and dictation under the auspices of Louis the Grand, was in itself matter of bitter humiliation. But still the Court was everything, both in glory and humiliation; and the starving people, with the bulk of the fathers and husbands that might have fed them rotting in distant battle-fields, were asked to sympathise with a palace all in tears because the Court of the great Louis was humiliated to the necessity of treating with an insolent foe.

¹ *Memoirs of the Marquis of Torcy, Secretary of State to Louis XIV., containing the History of the Negotiations from the Treaty of Ryswick to the Peace of Utrecht. Translated from the French. 2 vols. 8vo. 1757.*

Then there came anomalies in the substance of articles offered in the negotiations, such as perhaps would have found an explanation had the diplomacy gone to or approached a practical result. For instance, at one point France agreed to abandon Spain to the Empire, and to be content with Naples and Sicily; yet, so far as we have any revelation in the conduct of the inhabitants, Spain itself was that portion of the Spanish succession that had shown the strongest affection for the Bourbons, and would most easily be brought under the sovereignty of King Philip. This fitted so far into the points held by the British diplomatists, that these demanded the acknowledgment of the Austrian succession to all the dominions that were the object of the war of the succession. Then there was our "Protestant succession," a complex matter even for British subjects to understand, and certainly likely to be a very complex and unwelcome addition to the usual niceties of diplomacy. The Dutch and their inevitable barrier also disturbed the infancy of the negotiations.

It seemed destined that there should be no hope of rest for the negotiators, until they brought the great question to the old Dutch town of Utrecht, nigh to Nymeguen and those other old towns where the war had begun. The "Conference of Gertruydenberg" supplies a name, but little more, in the introductory history of the Treaty of Utrecht. The difficulty felt by any one looking back with a merely critical eye on these fragmentary negotiations, is to find whether the negotiators took into account the bloody war that had passed before them, and saw any change it had effected in the conditions as they

had stood in the year 1702. We may find this exemplified in the vehement protestations on the part of Austria against an item of the dominions possessed by the last King of Spain going to the house of Bourbon. When we cross these casual notices of negotiations that appear alike visionary and chaotic, a film seems to drop from the eyes when we read what was accomplished in the Treaty of Utrecht.

On the 5th of March there was a farther and more pacific announcement of what the King of France was prepared to yield. He would let the Austrian candidate have Spain, the Milanese, and the Italian islands, with those distant possessions that had given a mysterious lustre to the Spanish empire—the Indies. His claim was limited to retaining only Naples and Sicily. The answer coming through London was still that the allies would concede no morsel of the dominions of the Spanish crown to the house of Bourbon—and there were difficulties as inextricable as ever about the Dutch barrier. It seemed to add to the hardness of the terms that King Louis was to bind himself to take all coercive measures for giving effect to them, and engage to complete the arrangement within two months. These hard terms were not pressed by Britain, but Britain did not make difficulties with her allies to soften them. France was stricken to the ground, and must submit to any terms; and she was fortunate if she could escape a vital dismemberment—if she could keep the boundaries of the old kingdom of France complete. So, in the absolute helplessness of France, was seen on all hands a security for immediate peace. Marlborough's occupation was no

longer with inquiries concerning the available progress for an invading army through France. He was communicating with his kinsman, the Lord Treasurer, about the removal of troops and stores to England, having written to him on the 19th of May about Torcy's last offer, "and I have no doubt it will end in a good peace;" and he tells his Sarah that "there is no doubt of its ending in a good peace." He suggests preparation for a solemn ceremonial by directions to have in readiness the sideboard of plate, and the chair of state and canopy; saying further, "and I beg you will take care to have it made so that it may serve for part of a bed when I have done with it here, which I hope may be by the end of this summer, so that I may enjoy your dear society in quiet, which is the greatest satisfaction I am capable of having."

But then came a sudden reaction, upsetting and even inverting all the conditions that in France pointed to inevitable submission and peace. Perhaps that wonderful national elasticity that has so often in France surprised the world was never more potently exemplified. A bad harvest, with starvation, had come to enhance the national calamities. The country was filled with poor wretches, many of them wounded, who crawled about, seeking here and there a morsel of bread,—were these the materials that a new army was to be raised from, when bankruptcies were rife and trading interests cried ruin? Yet through some mysterious influences of vitality and strength hidden in the social constitution, the supplies for a new army came forth abundantly, and the recruits followed, exciting the remark that France

had seldom in her palmy days shown to the world so vigorous and ardent an army. In its own country, a reason for this revival was entertained not to be easily understood in this country as a legitimate evolution of cause and effect. All men were starving, and therefore were glad to accept the poor pay of the French soldier.

Marlborough, with his companion Prince Eugene, had an army counted in all at 110,000 men. There was an alarm that the evil rumours about the cause in Spain would be made a reason for reducing the force in the Netherlands; but with a still larger French force at hand, it was found that, rather than withdraw a portion of it, a wiser policy would be to abandon the contest in the Netherlands, with all that we held there. This would have been equivalent to a total abandonment of the cause of Holland, which was our own cause, in as far as it was desirable to have an independent Power close to France. Then the cause in Spain was virtually lost, and we would have had to abandon ground where we had conquered and established a position, and had but to continue conquering, so as to complete a nearly-accomplished policy, while everything in Spain would have to be begun as if we had lost no blood there already.

The great question arose, Shall there be another great battle, or shall the policy of the first year of the war—the taking of the fortified places—be renewed? Marlborough was prepared for either alternative. But in tracing his career, we shall find how sagaciously, in the following prophecy, he anticipated the war policy of France:—

“I am entirely of opinion that though the French

should equal us in numbers, or even have a superiority, in the Low Countries, they will, however, put themselves on the defensive, so that we shall be under the necessity of opening the campaign with the siege of Tournai or Mons. The difficulty of the former will arise from the great quantity of dry forage that will be requisite for the troops; for we cannot make this siege unless we can be before the place ere the enemy take the field.”¹ He had it especially in his calculations that blows struck within the French frontier, and on the march to Paris, would be the surest tactic to restrain King Louis from sending to Spain an overwhelming force capable of driving the champions of the Austrian succession out of the Peninsula.²

He took fever at this crisis, and would not be controlled by the medical advisers, who prescribed relief from duty, and rest. It appeared as if the combined excitements of the situation had battled with the disease and driven it forth, for Marlborough was, in none of his great achievements, more watchful and alert. The enemy had repeated the policy of intrenching their camp, and within their fortifications they must be attacked, if attacked they were. An intrenched camp was doubtless the strongest of all possible military positions, but it had its defects. Its strength was passive rather than active; for it could not carry that strength into a change of

¹ Despatches, iii. 289. The names of the two towns to be attacked were put in a cipher.

² Ibid., 326. “C'est le seul intérêt du Roi Charles qui nous fait préférer l'entrée en France, puisque sans que cela ait lieu et même de bonne heure, on peut compter l'Espagne perdue à jamais pour ce Prince.”—Ibid., 329.

ground, and, indeed, might create difficulty in accomplishing a change of front. It was an arrangement never adopted by Marlborough when he expected a battle; and it was inconsistent with his favourite policy of lying ever on the watch to seize the best alternatives, possibly pondering over all the classes of tactics he had trained his subordinates to help him in bringing to a conclusion. He was opposed by Villars, who had established high repute as a strategist by stopping Marlborough on the Moselle. The site of the intrenched camp may be found in the map, by running the eye between Douai and Béthune. The French marshal found there everything in the shape of embankments, wood, and a supply of water, either for ditches or flooding, that he could desire for making himself impregnable. Villars had no doubt, from the movements of Marlborough and Eugene, that they meant to attack him within his trenches. He knew on what quarter they must make the attack, and there he brought part of the garrison of Tournai to enhance his strength. This seems to have been precisely what Marlborough desired. He began the advance for the charge, and with the adroit flexibility ever at his command, wheeled round on half-defended Tournai. On the 27th of June he had written to his Sarah: "If it had been reasonable, this letter would have brought you the news of a battle; but Prince Eugene, myself, and all the generals, did not think it advisable to run so great a hazard considering their camp, as well as their having strengthened it so by their intrenchments—so that we have resolved on the siege of Tournai, and accordingly marched last night and have invested it when they expected our going to

another place, so that they have not half the troops in the town they should have to defend themselves well, which makes us hope it will not cost us dear."¹

It is singular that the arrangement was satisfactory to Villars. He thought it possible that, by a commander with the formidable reputation of Marlborough, he might be beaten even in his stronghold, and then the invaders had an open way to Boulogne, and might, after plundering all over Picardy, reach Paris. They had chosen to invest Tournai, and that, the marshal thought, would give them work throughout the fighting season.² But on another essential point—separate from the insufficiency of the garrison for the protection of a large town with a broad river flowing through it—the surprise had been a success. The town was not provisioned for a protracted blockade; and after the siege-apparatus had been brought up, it held out only for nineteen days, surrendering on the 29th of July 1709. The city garrison surrendered with honours. They were still 4000 strong, and all marched into the citadel. If it be a question why Marlborough permitted the garrison of the citadel to be so augmented, when his superiority might have enabled him to dictate terms at his discretion, it might be said that the citadel—not a large fortress, but very strong—scarcely gained in absolute strength by a garrison so numerous as to be in some measure superfluous, while the accession gave strength to the besiegers' great coadjutor—famine.

The siege of this strong fortress opened a fresh chapter in the horrors of modern warfare. Vauban,

¹ Coxe, v. 7.

² Villars; Coxe, v. 7.

two years dead, had just left in that fortress a terrible legacy, in the most tragic of all the desperate resources that his genius had added to the art of war between besieger and besieged. This was the operation of mining and counter-mining. A boastful inscription, cut on one of the wall-facings, told how, in the year 1667, Louis XIV., of whom it was doubtful whether his lustre was the greater in war or in peace, had taken in eight days the works that never before had been taken by an enemy, and that he had added strength to these existing works. Of the additions a portion consisted in vaults and galleries, adapted for the laying and firing of mines where a besieging enemy had made an entrance or lodgment. It may not be easily accounted for, but it is a phenomenon supported by abundant testimony, that the soldier having made himself familiar with certain forms of death as likely at some time or other to overtake him, is disturbed by any indication that the king of terrors may approach him in a form totally new and unanticipated in his calculations. The hidden mine had thus a terror in reserve for men who had never before flinched from danger. There might be something, too, in the feeling that there was no fighting with an active enemy to rouse the combative spirit that may possibly avert or avenge injuries. However it arose, all accounts of this siege are eloquent on its novel horrors. The new inventions made work for a new class of soldiers — sappers and miners; and to these the new dangers became at length familiar. Within the fortress the existence of works for in this form destroying besiegers naturally suggested that they should have a force of special experts to put

them to their deadly use; but the besiegers were sadly deficient in any counter-force of the same kind, and it would happen to them when they had reached the vault where a mine was laid, and occupied themselves in endeavouring to employ its munitions against the enemy, or at all events to secure their own safety from explosion, that a mine was sprung in a vault below, carrying destruction and death among them. It was said, too, that parties meeting in darkness and confusion sometimes took friends for enemies; and thus the novel instrument of destruction was in many shapes full of horrors. The shattered walls of the citadel of Tournai still attest the peculiar nature of that warfare. On the usual turf mound faced with stone, a breach made by cannonading, will show that it has been battered until the face falls outwards, and until by this fall or further cannonading a breach is made with a slope, not too steep to give some chance of mounting it to a storming-party. A dismantling that removes the embrasures and the wall-facings, as at Dunkirk silenced under stipulation at the Treaty of Utrecht, is another feature of a fortress that is no longer available. But the rents in the strong citadel of Tournai are all from within, casting down the walls and showing the chambers where the explosives had been piled. It is interesting, also, to note the vaulted galleries, low and narrow, for communication between the several places, that, occupied by the garrison might fall into the hands of the enemy, to place them in the way of destruction.

King Louis had among those grand qualities that brought him the worship of his subjects, a propensity towards utterances that imported a scornful defiance.

Besides the losses from the war and the chance that the soil of France might be traversed by a hostile force, there had come the calamity of an imperfect harvest, attended with gloom, penury, and starvation to the poorer people. The king predicted that they would all the more eagerly follow the bread-baskets of his armies. It was true that the muster of the army was stimulated by the misery of the people, and that forcible conscription had not been so necessary for gathering a force as it had been in periods of prosperity or comfort.

We have seen something of the social material of the armies that in this reign gained for us so many victories. The vagrant and even the thief had not only to be tolerated in the ranks, but to be forced into them, if he could fight. Yet one accustomed to note the fugitive signs of the times gathers the impression that there was in the army a large representative of the respectable and even earnest portion of the community. Though they were not in the critical position of those who have to defend the borders of their native land from an invading enemy, yet they knew that the salvation of their land from such peril depended on their smiting the great French monarch so thoroughly as to make an invasion to place James III. on the throne of England and restore arbitrary power a hopeless vision. Yet though the French had no such treasures as freedom, religious and civil, to defend, we may question if British troops after such a succession of defeats as had overtaken the armies of King Louis would have rallied to the banner with the same elastic vigour that inspired the French in this great revival. It was a

signal manifestation of qualities peculiar to that elastic people. It has rarely happened that they have been soldiers by free choice,—by conscription or some other form of coercion they have been dragged to the camp. But once within it, their hearts have naturally kindled to the spirit of soldier life. Abounding in courage, they have at the same time the content in existing conditions that is not always the companion of courage. The present presents them with exciting enjoyments, and they are not troubled with the unfortunate past.¹

Upwards of 100,000 fighting men were brought into the field, in better "heart," to use an old soldier's expression, than any of the French armies embodied and beaten in this war had shown. It seemed now as if the Nemesis of the epics and romances must bury the memory of the disasters and

¹ Forty years later than our period, David Hume happened to see some French soldiers who had been taken prisoners in the war of 1748. It was not one of the wars glorious to our arms, but on the occasion witnessed by the philosopher the French had suffered a casual defeat. The scene is at Breda; the date is 16th March 1748. "The night we came to Breda we supped with Lord Albemarle, who told us, on entering, that we might soon expect to hear of a battle in the neighbourhood; and accordingly, in about an hour, a messenger came in with the news, which is the best we have had in the Low Countries during the whole war. You have no doubt heard of it. It was the attack of a convoy to Bergen-op-Zoom by about 5000 French, where 400 were killed and about 1000 taken prisoners. Next day the prisoners were led through the town. They were the picquets of several old regiments and some companies of grenadiers; but such pitiful-looking fellows never man set eye on. France is surely much exhausted of men when she can fill her army with such poor wretches. We all said when they passed along, Are these the people that have beat us so often? I stood behind Lord Albemarle, who was looking over a window, to see them. One of the ragged scarecrows, seeing his lordship's star and ribbon, turned about to him, and said very briskly, 'Aujourd'hui pour vous, monsieur; demain pour le Roi.' If they have all this spirit, no wonder they beat us."—*Life and Correspondence of David Hume*, i. 246.

humiliations of France in a mighty and abiding triumph. But this was not to be the end. It was to be that the revival was only to offer a new sacrifice; it was to bring forward the greatest and the finest of all the successive French armies only to follow them in absolute defeat, and render the military humiliation of France all the more memorable. Britain also was stirred to the heart; and her excitement took its natural development—a vast and unexampled vote of supply, producing seven millions of pounds.

It happened that Villars, who had superseded Boufflers in command, gained from the troops not only a fair amount of reliance, but such an access of devotion and sanguine expectation as French soldiers only have at their disposal. It could hardly suffice as the source of this enthusiasm, that Marlborough had gone to the field of Ramillies, instead of attempting to beat him out of his strong fortress at Sierck; but there was nothing else in his career that seemed to justify his high reputation and the implicit confidence of his troops that he was to lead them to glory. But the troops were also successful in finding an object of enthusiasm in the superseded Boufflers. He was the senior of Villars and higher in the service, yet had he in this emergency offered his assistance as an adjutant; and being so accepted, he served faithfully in the subordinate post. One would like to know what Marlborough thought of the whole affair of the revival in France, but we have nothing beyond a hope that the misfortunes of France may send him back to his Sarah. "That which gives the greatest prospect for the happiness of being back to

you is that certainly the misery of France increases, which must bring us to a peace. The misery of all the poor people we see is such that one must be a brute not to pity them. May you ever be happy, and I enjoy some few years of quiet with you, is what I daily pray for."¹ It appears, however, that Prince Eugene gave distinct utterance on the worthlessness of the enemy—they were the refuse of the French population, inferior to the armies that had already been beaten.²

From the Belvidere, on the top of the conical hill covered by the streets of Mons, there is an opportunity for observing the general character of the ground where 200,000 men marched and ranged themselves for battle. The features are of the kind generally found where great battles have been fought—low flat hills, undulating with valleys, but no rocks or abrupt declivities to afford to either party great advantages over the other. The critical centre of contest, however, can hardly be identified from Mons, as it is ten miles distant, with intervening elevations. The peasantry in the neighbourhood will tell that the centre of contest is indicated by a small old church, called by them La Chapelle Malbrook; and the accounts of the battle show that they are correct.³

¹ Coxe, v. 12.

² "L'ennemi qui est devant nous, est moins fort que celui qui à été battu tant de fois. Ses meilleurs soldats sont morts à Hochstett, à Cassano, à Ramillies, à Turin, à Oudenarde; il n'a pas vingt mille hommes qui ne soient de nouvelle levée. La multitude de ses retranchemens est une preuve de sa foiblesse, et du peu de confiance que ses chefs ont de son courage."—*Histoire de Jean Churchill, Duc de Marlborough*: A Paris de l'imprimerie Impériale, 1808: iii. 99.

³ The Chapelle Malbrook, the name given to Marlborough in French tradition, seems to be the same that, before the battle, was named Jean Vanqueur.

There are two villages near this small church. The more remote was Taisniers, and this was the original name given to the battle; but it was superseded by the name of the other village—Malplaquet. Malplaquet is now a considerable village of good houses consistent with the aspect of agricultural wealth around it. Cultivation has rendered it difficult to trace the ground so as to identify upon it the motions of the two armies. The paved road to Mons is still there, and so is a portion of the old stretch of forest. Its trees are beech, birch, ash, and sycamore—no pines. It is a forest decaying and reproducing itself, and looks as fresh and young as it could have looked on the battle-day. An open heath was among the features then, but that is gone. The fields, with their plentiful crops, are protected from intrusion; and along the border, between the field and the forest, there is a line of tall, thick-set, impervious hedge, as if the farmers found it desirable to protect themselves from intruders entering through the forest.

This patch of forest is still serviceable, along with the village of Malplaquet and La Chapelle Malbrook, in identifying the field of battle and helping to solve the policy of its selection. The trees are a remnant of the forest of Lagnière, stretching north and south all along the field of battle on its western side. A tract of forest-land, called the woods of Sart Taisniere and Blaniere, stretched along the eastern side of the field. As a strong post on the highway through France, and touching the frontier, Villars sought to secure himself and stop his enemy's march southwards. At mid-day on the 7th, Marlborough and Prince Eugene were informed that Villars was post-

ing his troops on the elevated plain between the forests. The two forests were within a quarter of a mile of each other. An author, speaking under the sanction of the great Napoleon, said that when Villars saw his enemy he should have attacked immediately, but he took to the shovel instead of the sword, and intrenched himself.¹

This he did busily, and Marlborough left him two days undisturbed at the work, having his own reasons for letting it be completed. In the end his army was protected by a line of embankment and ditch. There were certain breaks in the lines of forest, called by the country people *trouées*, perhaps as being holes or openings through the trees; these were fortified by redoubts. The forest was serviceable too in supplying felled trees for *abatis*. Any one who has struggled to make his

¹ "Villars apprit que les alliés restoient tranquilles; au lieu de marcher à eux il s'amusa à remuer la pelle et à se retrancher."—Histoire de Jean Churchill, Duc de Marlborough, Prince du Saint Empire Romain, et de Mindelheim, &c.: À Paris de l'imprimerie Impériale, 1808: iii. 95. Unless it may be in the translation of the 'Mémoires de Fouquières,' it would be difficult to find in the English language anything so bitterly sarcastic on the French armies of that period as this book, printed by Napoleon's direction. It seems to prove throughout to the French people what paltry helpless beings they were until they got into the hands of Napoleon. The book was printed at the climax when he had crushed Austria and Prussia, had set his brother on the throne of Spain, and had not penetrated to Moscow. The author of this biography, who was no doubt a soldier, and speaks learnedly on military affairs, gives us a curious testimony to the difficulty of finding the details of a battle, and reconciling them with the ground: "Je crois devoir prévenir mes lecteurs qu'entre vingt récits de cette fameuse bataille, il n'y en a pas deux qui s'accordent dans les détails de l'affaire—pas même dans la description du terrain. Je les ai tous combinés; et j'ai choisi dans chaque relation ce qui m'a paru appuyé sur les meilleurs garans. C'est une tâche bien pénible que celle d'écrire une semblable histoire."—III. 104.

way through a fresh forest-clearing before the felled trees are removed will have felt how formidable an impediment they can become; but he would probably infer that, however they might impede an enemy, they would be troublesome neighbours to an army intending to keep itself free for action. There has surely seldom been an army brought into battle with so varied a mixture of races and nationalities as the seven millions, voted by the British Parliament, brought together under Marlborough's banner. Our own islands provided the usual variety of races, Teutonic and Celtic, and there were fighting beside them Dutch, Danes, Prussians, Saxons, Palatines, Hanoverians, Hessians, and Italians."¹

Before the end came, Villars had been sadly wounded. With the instincts of the true soldier he tried to continue in command, but he was so unfit for the duty that something like pressure was necessary for the protection both of himself and of his army, even though its doom was certain. Hence it was the decree of fate that this calamity should alight on the French people through the hands of that Boufflers whom they had tired of calling The Unfortunate.

The fortification of a camp in preparation for a battle is an admission of weakness. The commander abandons any bold attacking strategy, and sacrifices the pliability and potency of his army, that he may secure its safety. Between the French force

² "Jamais on ne vit un tel faisceau de forces diverses réunies dans une même tout et comme dans la main d'un seul homme! Ce phénomène, sans exemple dans toute autre coalition, est le plus bel éloge des deux héros qui les commandoient."—Hist. de Marlborough, de l'imprimerie Impériale, iii. 105.

heavily fortified but embarrassed by the restraints of their fortress, and the assailing host armed by the highest skill that the armies of the world could produce, there appeared for some time to be a contest terribly equal, until it was seen that the defenders of the fortresses were thinned in number without slaughter. The neighbouring forest-land, if it was a protection to the encamped army as a whole, was a still more available protection to those who retreated through the forest glades. It happened that a large body of reinforcements had to be brought from Tournai to join the army of the allies; and Marlborough had provided that, instead of coming up to the front, they should abide until their services were wanted in the enemy's rear. These had come into action, and there was no meeting their attack but by weakening the force in the front. At the same time, a lateral force on the left—a mixed body of Scots and foreigners—had been kept in reserve under the command of the Prince of Orange; and the weakened defenders of the fortifications were attacked in rear and flank. This was conclusive, and the battle was gained.

This battle had been inaugurated with much deliberation and ceremonial on both sides, as if each were conscious of having at last reached the final issue. In the British camp there was a solemn religious ceremonial as at Blenheim, the service of the Church of England being read at the head of each regiment.

On the policy of the field-works making up the intrenched camp, the military critics of the day said that instead of a ganglion of ramparts and trenches enclosing all parts of the field, a lighter

form of engineering would have better suited the exigencies of a field of battle,—such as redoubts or bastions, called “*cæspitious*,” as made out of the materials available on the spot. These, amply scattered over the ground in possession, might serve active troops in an infinite variety of shapes troublesome to an enemy; and if they were likely to be available to the foe, they might be blown up on abandonment. But the great embankments and ditches of the fortified camp in the end only provided fortresses for the enemy when, being the stronger party, he could occupy them.

Mighty issues in the Continental battle-field had been, as it were, keeping time in harmony with mighty issues in the Cabinet at home. In the march through France there was work begun that, on the whole, had better be completed at once. It seems to have occurred to Marlborough that, in the event of the supplies for the war becoming narrower, it might be well to narrow his projects accordingly; and that hence his war-path took the direction of Calais, his latest achievements, both uneventful, being the occupation of Ayre and St Venant.

We now leave behind the great battles, and the war both in Spain and nearer home, so far as Britain was concerned. The next duty is to examine certain political and personal influences busily at work at home, and find how their tendencies, in conjunction with those of the two wars, lead us to the Treaty of Utrecht.

CHAPTER XV.

The Revolution at Court.

THE QUEEN AND THE DUCHESS—THE QUARREL—RISE OF ABIGAIL — HARLEY, HIS INSCRUTABILITY — DISMISSAL OF GODOLPHIN—HIS RECEPTION OF IT—HIS PROPHETIC WARNINGS — THREE CONSPICUOUS STATESMEN: BOLINGBROKE, HARLEY, AND WALPOLE — THEIR RELATIVE CAREERS — GUISCARD’S ATTACK ON HARLEY—A NEW PARLIAMENT—THE OLD MINISTRY ATTACKED THROUGH THE WAR IN SPAIN—EXPEDITION TO QUEBEC—COMMANDED BY ABIGAIL’S BROTHER — THE HOUSE OF LORDS — THE TWELVE NEW PEERS—THE FALL OF MARLBOROUGH.

HENRY HALLAM seeks concurrence in the opinion that “it seems rather a humiliating proof of the sway which the feeblest prince enjoys, even in a limited monarchy, that the fortunes of Europe should have been changed by nothing more noble than the insolence of one waiting-woman and the cunning of another. It is true that this was effected by throwing the weight of the Crown into the scale of a powerful faction; yet the house of Bourbon would probably not have reigned beyond the Pyrenees but for Sarah and Abigail at Queen Anne’s toilet.”¹

The sagest of historians is parsimonious in rhetoric

¹ Constitutional History, edit. 1832, iii. 283.

or antithesis, and hence, perhaps, the rarity of his indulgence in these decorative accomplishments has led his expressions beyond the wise precision of his usual estimate of political forces. The conflict between Sarah and Abigail is certainly the most picturesque and amusing feature in the eventful political period we have reached; but we shall see that other forces were necessary, and were busily at work, in shifting the old tenor of history. The mighty duchess, who bullied principalities and powers on the one side—the humble waiting-maid, whom she assisted out of dependence and abject poverty on the other—make in themselves an antithesis suitable as material for romance. But Abigail Hill, though her father seems not to have been a fortunate man, was so powerful in connections as to count cousinship with the Duchess of Marlborough on the one hand and Harley on the other. Her cousinship to Duchess Sarah came of descent that made her a granddaughter of a baronet. Sarah opens the drama thus: "An acquaintance of mine came to me and said she believed I did not know that I had relations who were in want. When she had finished her story, I answered that indeed I had never heard of any such relations; and immediately gave her out of my purse ten guineas for their present relief, saying I would do what I could for them."¹

There came a vacancy in the bedchamber staff of Queen Anne when she was princess; and the duchess says on the occasion, that as it had occurred that

¹ An Account of the Conduct of the Dowager Duchess of Marlborough, 177.

"rockers, though not gentlewomen, had been advanced to be bed chamber-women, I thought I might ask the princess to give the vacant place to Mrs Hill. At first, indeed, I had some scruple about it; but this being removed by persons I thought wiser, with whom I consulted, I made the request to the princess, and it was granted." For a younger sister the office was obtained of laundress to the Duke of Gloucester—that one of Queen Anne's children who, as we have seen, approached maturity. There were boys, too, to be provided for. One got a custom-house appointment. There was another who had a more conspicuous career, as Sarah tells us "whom the bottle men afterwards called 'honest Jack Hill,' whom I clothed, for he was all in rags, and put to school at St Albans; and though my lord always said that Jack Hill was good for nothing, yet to oblige me he made him his aide-de-camp, and afterwards gave him a regiment." But it was his sister's interest that raised him to be a general, and to command on that ever-memorable expedition to Quebec.

Thus everything was low and worthless about these Hills, yet Duchess Sarah got them well settled as public servants. It may be observed that there is not the faintest compunction as to the bad bargains she is employing her power to force upon the country; on the contrary, their unfitness putting difficulties in the way, the greater was her merit in overcoming these difficulties and providing for her needy relations in defiance of impediments. On the whole we owe a debt of gratitude to Duchess Sarah for this brief but clear exemplification of the political morality of the period.

As we approach the great quarrel between the queen and the duchess, there come some preliminary mutterings of disturbance to the divine harmony that blessed the friendship of Mrs Morley and Mrs Freeman. There was a critical juncture, early in the spring of 1708, when Marlborough crossed the Channel to renew and end the war. The duchess had an audience, when she revealed in some measure her discontents and suspicions, and proposed that she should retire from the offices she held, and that they should be given to her eldest and her second daughter, both peeresses "who from their rank, alliance, and character, were well calculated to merit such a favour."¹ The queen entered on assurances of continued attachment, repeating, "you and I must never part;" and promised, should such a calamity occur, that the daughters should inherit the offices.

There was some mystery—at least so Sarah thought—in the marriage that made Abigail Mrs Masham, and she broods on the affair thus: "The conduct both of the queen and of Mrs Masham convinced me that there was some mystery in the affair, and thereupon I set myself to inquire as particularly as I could into it. In less than a week's time I discovered *that my cousin was become an absolute favourite; that the queen herself was present at her marriage in DR ARBUTHNOT'S lodgings, at which time HER MAJESTY had called for a round sum out of the privy purse; that MASHAM came often to*

¹ Coxe, iv. 44. The Archdeacon refers as his authority to "A Narrative Manuscript of the Duchess;" but it is not quite clear whether these commendatory words are his own or hers.

the QUEEN when the PRINCE was asleep, and was generally two hours every day in private with her; and I likewise then discovered, beyond all dispute, MR HARLEY'S correspondence and interest at Court by means of this woman."

"It became easy now to decipher many particulars which had hitherto remained mysterious, and my reflection quickly brought to my mind many passages which seemed odd and unaccountable, but had left no impressions of suspicion or jealousy. Particularly I remembered that a long while before this, being with the queen—to whom I had gone very privately by a secret passage from my lodgings to the bed-chamber—on a sudden this woman, not knowing I was there, came in with the boldest and gayest air possible, but, on sight of me, stopped, and immediately changing her manner, and making a most solemn courtesy,—'*Did your MAJESTY ring?*'—and then went out again."¹

This is lively and picturesque, but its life and picturesqueness seem more akin to the reproductions of such qualities on the comic stage than to the usages of a palace. Had the author of 'John Bull,' in whose house the first act of the treason was played, lived to read this account of it—he died seven years before it was published—some thoughts worth knowing might have crossed his mind.

It is not easy to pronounce on the charges against Harley, but they certainly bear faint resemblance to the tone of his general character. He was in most things a man scrupulous in his actions whatever his thoughts may have been. He was generally trusted,

¹ Ibid., 183-186.

and if there was anything to suggest misgivings it was in the impenetrable reserve that, even when the haze of inebriety loosened his tongue, sometimes in a wildish manner about trifles enabled him to keep dead silence on affairs of moment. His inscrutability let imaginations and tongues loose on his character and actions. Though he was a Nonconformist, and assisted his father in raising a troop of horse to welcome the arrival of William of Orange, some maintained that he was deep in Jacobite plots, while others attributed his waywardness to a hatred of monarchical government, inherited from his father, a zealot among the republicans and Dissenters in the Long Parliament.

Before we pass on from Duchess Sarah's charges of ingratitude and perfidy, we may note one point, perhaps unconsciously but yet effectively proved by her, that she had ruled the poor queen with an iron hand, and was enraged at feeling the grasp relax. Ere the two had come to hot words, "Mrs Morley" writes to her "dear Mrs Freeman," desiring that she may be excused entering on discussion, because "I believe we are both of the same opinion in the main. I have the misfortune that I cannot agree exactly in everything, and therefore what I say is not thought to have the least colour of reason in it—which makes me really not care to enter into particulars." But on one point she becomes distinct. She is aware of Mrs Freeman's capacity for mischief, and entreats her to restrain it: "Can dear Mrs Freeman think that I can be so stupid as not to be sensible of the great services that my Lord Marlborough and my Lord Treasurer have done me, nor of the great misfortune

it would be if they should quit my service. No; sure you cannot believe me to be so void of sense and gratitude. I never did, nor never will, give them any just reason to forsake me; and they have too much honour, and too sincere a love of their country, to leave me without a cause. And I beg you would not add that to my other misfortunes, of pushing them on to such an unjustifiable action."¹

If one in tracing the mazes of a quarrel, especially if it is a feminine quarrel, has got into letter-writing and the reporting of speeches, it is a satisfaction to come to some palpable declaration of war or defiance; and the following short letter was the queen's announcement that she was determined to escape from her tyrant: "After the *commands* you gave me on the Thanksgiving Day, of not answering you, I should not have troubled you with these lines, but to return the Duke of Marlborough's letter safe into your hands; and for the same reason, do not say anything to that, nor to yours which enclosed it."²

Still Sarah returned to the charge, and extracted what she thus abridges: "In speaking of the misunderstandings betwixt her Majesty and me, she says, they are for *nothing that she knows, but because she cannot see with my eyes and hear with my ears*. And adds, *that it is impossible for me to recover her former kindness, but that she shall behave herself to me as the Duke of MARLBOROUGH'S wife*." Then comes a touch of sarcasm on the queen's part, so distinctly pointing at one who held it as a crime in any one to differ from her, that it is necessary to suppose Sarah to have been blinded by passion or dotage when she

¹ Cox, 201, 222.

² Ibid., 200.

gave it to the world. "*You have asked me once or twice if you had committed any fault that I was so changed; and I told you, no, because I do not think it a crime in any one not to be of my mind.*"¹

That there was ample room for difference of opinion, the duchess lets us see very clearly. We have noted the queen's zeal—bordering on bigotry—for the Church of England. Mrs Freeman gives her own views on that institution, thus: "The word CHURCH had never any charm for me, in the mouths of those who made the most noise with it; for I could not perceive that they gave any other distinguishing proof of their regard for the *thing* than a frequent use of the *word*, like a spell to enchant weak minds; and a persecuting zeal against Dissenters, and against those real friends of the Church who would not admit that *persecution* was agreeable to its doctrine. And as to State affairs: many of these Churchmen seemed to me to have no fixed principles at all, having endeavoured, during the last reign, to undermine that very government which they had contributed to establish."²

It is among the motley elements of this strange controversy, that in reply to the remark about difference of opinion not being a crime, it occurred to the duchess to try her own hand in the efficacy of a morsel of Church, as a spell to enchant a weak mind. "Upon receipt of this letter I immediately set myself to draw up a long narrative of a series of faithful services for about twenty-six years past; of the great

¹ It may be noted as to the passages here cited, that the italics are rendered precisely as in the original, where they seem to have been considered of vital importance.

² Coxe, 125, 126.

sense the queen formerly had of my services; of the great favour I had been honoured with on account of them; of the use I had made of that favour; and of my losing it now by the artifice of my enemies, and particularly of one whom I had raised out of the dust. And knowing how great a respect her MAJESTY had for the writings of certain eminent divines, I added to my narrative the directions given by the author of *The Whole Duty of Man* with relation to friendship, the doctrine of the *Common Prayer Book* before the Communion, with regard to reconciliation, together with the rules laid down by Bishop Taylor on the same head; and I concluded by giving my word to her Majesty, that if, after reading these, she would please only to answer, in two words, that she was still of the same opinion as when she wrote that harsh letter which occasioned her this trouble, I would never more give her the least trouble upon any subject but the business of my office, so long as I should have the honour to continue her servant."¹

This attempt had no success. "I sent from St Albans the narrative, which she promised to read and answer; and ten days after writing to me upon another occasion, she said she had not leisure to read all my papers, but when she had, she would send me some answer. But none ever came."²

The duchess tells us that "it was the queen's usual way on any occasion when she was predetermined—and my Lord Marlborough has told me that it was her father's—to repeat over and over some principal words she had resolved to use, and to stick firmly to them."³ The schools have perhaps not devoted

¹ Ibid., 226.

² Ibid., 226, 227.

³ Ibid., 204.

much of their ingenuity to this form of dialectic, but the duchess gives us a powerful example of its effective employment against herself. The scene is at Kensington, where it required all the tact and perseverance of the duchess to force her way into the presence. "When I began to speak she interrupted me four or five times with these repeated words—'*Whatever you have to say you may put it in writing.*' I said, her Majesty never did so hard a thing to any as to refuse to hear them speak. . . . I then went on to speak, though the queen turned away her face from me, and to represent my hard case—that there were those about her Majesty who had made her believe that I had said things of her which I was no more capable of saying than of killing my own children," &c. She pressed for particulars, "because, if I were guilty that would quickly appear, and if I were innocent, this method only would clear me. The queen replied that *she would give me no answer*, laying hold on a word in my letter, that what I had to say in my own vindication *would have no consequence* in obliging her Majesty to answer, &c., which surely did not at all imply that I did not desire to know the particular things laid to my charge;" and so on, until "the queen offered to go out of the room, I following her, and begging leave to clear myself, and the queen repeating over and over again, '*You desired no answer, and you shall have none.*' When she came to the door I fell into great disorder—streams of tears flowed down against my will, and prevented my speaking for some time." People who in the letters and gossip of the times have made acquaintance with the hard imperious nature of Sarah Jen-

nings, would not be prepared for this occurrence, and still less for the victim's proclamation of it to the world. But here, again: "I explained some things which I had heard her Majesty had taken amiss of me; and then with a fresh flood of tears, and a concern sufficient to move compassion even where all love was absent, I begged to know what other particulars she had heard of me, that I might not be denied all means of justifying myself; but still the only return was, '*You desired no answer, and you shall have none.*' I then begged to know if her Majesty would tell me some other time. '*You desired no answer, and you shall have none.*' I then appealed to her Majesty again, if she did not herself know that I had often despised interest in comparison of serving her faithfully and doing right? and whether she did not know me to be of a temper incapable of disowning anything which I knew to be true? '*You desired no answer, and you shall have none;*'" whereupon the sorely tried victim confesses to retaliating. "I was confident her Majesty would suffer for such an instance of inhumanity. The queen answered—'*That will be to myself.*' Thus ended this remarkable conversation, the last I had with her Majesty."¹

Sarah's husband seems to have cautiously abstained from this contest, as one too hot and dangerous to assimilate with his placid temper. In the volume whence so much is here cited, there is a proper and pious memorandum by him containing, perhaps, as strong a hint of disapproval as he could venture to utter against his beloved Sarah. "It has always been my observation in disputes, especially in that of kindness

¹ Cox, 243, 244.

and friendship, that all reproaches, though ever so just, serve to no end but making the breach wider. I cannot help being of opinion, that however insignificant we may be, there is a Power above that puts a period to our happiness or unhappiness."¹

A curious Nemesis lurked in the provision for ragged and good-for-nothing Jack Hill, extracted from her pliant husband by Duchess Sarah, when she was acting my Lady Bountiful to her impoverished cousins. At the beginning of the year 1710, the death of the Earl of Essex left two important vacancies—he had been Constable of the Tower and Colonel of the Second Regiment of Dragoons. Marlborough thought the Duke of Northumberland should become Constable of the Tower. An intricate story of secrets and surprises could be made out of the conditions that conferred the command of the Tower on Earl Rivers. It was a blow to Marlborough; but it was rather in a political than a military matter. The old feudal office was of small moment compared with the next step. He received the queen's command to complete the adjustments for the promotion of John Hill to the command of the Second Dragoons. This roused all the soldier within him, and he declared war. It would, as he told the queen, be "to set up a standard of disaffection to rally all the malcontent officers in the army." He sullenly retired from Court, threatening to resign all his commands unless Abigail Hill, now Mrs Masham, were dismissed from her offices in the royal household.

Thus was started an issue that threw the Cabinet into consternation. Every day there were hopes and

¹ Coxe, 244.

fears, and gratifications and disappointments, about promotions in the army; and here was one that threatened not only to be a crisis in the history of parties at home, but to shake all Europe with fears and hopes. Godolphin and other members of the party prayed Marlborough to yield the point. What was a bad appointment to the head of a regiment in sight of the peril to their common party? Unwillingly he so far yielded as to abandon the issue of the favourite's dismissal, standing only on his refusal to appoint her brother to the command. Afterwards, when absent in the war, he gave a dry assent to the promotion in the army of Masham, Abigail's husband, and her brother Jack. But this was when the end had come in sight, and Marlborough looked to relief from all responsibilities, political and military.¹

Meanwhile forces had been let loose throughout the country too powerful to be controlled by Court or Cabinet, however adroitly bold and clever statesmen might "ride on the whirlwind and direct the storm." The trial of Sacheverell, with its precedents and result, teaches us more fully the nature of these stormy elements than the annals of the Court or even the parliamentary debates. A great reaction set in against the party called sometimes Low Church and sometimes Whig. The reaction served the purpose of the bedchamber party. Its strength was tried in the dismissal of Marlborough's son-in-law, Sunderland, who had been for four years Secretary of State.

¹ Whoever desires more minute information on these affairs will find it, probably to his ample satisfaction, in the eighty-eighth chapter of Coxe's Memoirs.

The watchful Godolphin was disturbed by another event. The Duke of Shrewsbury, of whom Tindal says, that "on the trial of Dr Sacheverell he left the Whigs in every vote," became Lord Chamberlain; and it was said to be for the purpose of veiling this appointment from expressive significance that the Marquis of Kent, who had to make room for him, was created a duke. The queen invited Godolphin to some preparatory explanations in a correspondence, telling her Treasurer, "by all one hears and sees every day, as things are at present, I think one can expect nothing but confusion. I am sure, for my part, I shall be ready to join, with all my friends, in everything that is reasonable, to allay the heat and ferment that is in this poor nation." The correspondence is dubious on both sides, as if avoiding distinct utterance; but the sage Treasurer, as if restraint were no longer possible, on the 15th of April wrote thus: "I have the grief to find that what you are pleased to call spleen in my former letter was only a true impulse and conviction of mind that your Majesty is suffering yourself to be guided to your own ruin and destruction as fast as it is possible for them to compass it to whom you seem so much attached."¹

Parliament was dissolved on the 15th of September. It was believed that the reaction occasioned by the Sacheverell prosecution had shown a vast influence on the constituencies when it was thought that the new House of Commons was pretty equally divided between Whigs and Tories.

On the 7th of August 1710, Godolphin had a state

¹ Parl. Hist., vi. 901.

interview with the queen. He seems to have entered the presence with misgivings, and these seemed to have, in some measure, cleared themselves away. "He concluded with submitting to her decision whether he should continue in office, offering to serve or not, as she should deem it for her interest, concluding with the categorical question, 'Is it the will of your Majesty that I should go on?' The queen replied, without hesitation, 'Yes.'" On that evening the queen wrote to him thus:—

"KENSINGTON, *August 7.*—The uneasiness you have showed for some time has given me very much trouble, though I have borne it; and had your behaviour continued the same as it was for a few years after my coming to the crown, I could have no dispute with myself what to do. But the many unkind turns I have received since, especially what you said to me personally before the lords, makes it impossible for me to continue you any longer in my service. But I will give you a pension of four thousand a-year; and I desire that, instead of bringing the staff to me you will break it, which I believe will be easier to us both."¹

Here follows the fallen statesman's acceptance of his fate:—

"*Tuesday, the 8th of August 1710.*"

"MAY IT PLEASE YOUR MAJESTY,—I have received this morning the honour of your Majesty's letter, with your commands in it to break my staff, which I have done, with the same duty and satisfaction in what relates to myself as when I had the honour to receive it from your Majesty's hand.

¹ Coxe, v. 321, 322.

"Since your Majesty is not pleased to allow me to wait on you, I must humbly beg leave to take this last occasion to assure your Majesty, in the most sincere as well as the most submissive manner, that I am not conscious of the least undutiful act or of one undutiful word to your Majesty in my whole life; and in the instance which your Majesty is pleased to give, I have the good fortune to have several witnesses of undoubted credit. I should never be able to forgive myself if I had not always served your Majesty with the most particular support and duty, as well as with the greatest zeal and alacrity.

"I shall only presume to add that my heart is entirely sensible of all the honours and favours your Majesty has done me, and full of the most zealous wishes for your prosperity and happiness in this world and in that to come, which I beg leave to assure your Majesty shall always be the hearty and constant prayer of, may it please your Majesty, the most humble and most dutiful of all your servants.

GODOLPHIN."¹

Archdeacon Coxe, among the most exact of mankind, tells us that though the queen's letter of dismissal was written on the day of the audience, it was not seen by Godolphin till next morning, when a servant in the royal livery left it with his porter. The following memoir, written by Godolphin, is preserved among his papers. From such a man, on such an occasion, it is a valuable commentary on passing events and the prospects of the future. Those whose lot has lain in the usual routine of uneventful life are not, perhaps, competent to estimate the sensations of those others whose fortune it is to be tossed up and down in the lofty sphere of

¹ Brit. Mus. MSS. 28055. This manuscript seems to have been written for the queen's hand, but having been altered and interlined, to have been preserved as a scroll.

statesmanship. The author, however, cannot avoid the conclusion that a strange tone of excitement, scarcely consistent with the sedate, sagacious, and intrepid nature of the great Lord Treasurer, is in what follows:—

"December 17, 1710.

"MY LORD,—Having had time to reflect since our last conversation upon the present posture of the queen's affairs abroad, I find my mind so much affected by the dangerous circumstances in which, to me, they appear to be, that I am not able to keep myself from laying my thoughts of them before your lordship, as plainly and briefly as I can, upon so crying a subject; being very sensible that you have all the same duty for her Majesty, and the same zealous good wishes for her service that I have myself, with the addition of a better though not a more impartial judgment: but before I enter upon any particulars, I think it not improper to remove some prejudices that may lie against anything coming from me on this subject.

"In the first place, therefore, I beg leave to assure you, upon my honour and upon my truth, that if I lament the measures taken at present in relation to the foreign affairs, it is so far from the least view of being employed again myself, that I know no temptation upon earth powerful enough to oblige me to it.

"2dly, I repeat the same assurances to you, that I have not the least resentment or animosity against any one person whatsoever, whom I either know or think to be in her Majesty's confidence and trust; but having the same zeal and dutiful affection for her person, and I profess that I ever have had, and the same tender concern for her future quiet and the security of the kingdom which she governs, and therefore is in some measure answerable for, I cannot reflect upon the present posture of her affairs without the greatest uneasiness upon my own mind, and of great apprehensions that misfortunes are coming faster upon her Majesty than she seems aware of; God send she may be able to find the way, if

there be any, to avoid them. My lord, I take her Majesty's future quiet and security to depend upon a good determination of the present war, and nothing is more evident than that the great and constant success with which it has pleased God to bless her Majesty's arms through the whole course of it, has laid a certain foundation for bringing it to a happy period even before this time, if the disorders and divisions at home, and the disgrace of such ministers as had always appeared most zealous for the common cause, had not so much encouraged the French, that though quite exhausted it has given them new life; though their armies have been beaten for seven years together, the war is yet to begin afresh; and they have become so haughty and insolent as wholly to lay aside all thoughts of accommodation by a general peace. There are three particulars which seem chiefly to have encouraged and confirmed them in this instance.

"1. The blow given to the public credit.

"2. The dissolution of the Parliament upon it.

"3. The assurances sent to France by the Jacobites and French partisans here that the Duke of Marlborough shall be removed from the command of the army.

"I take the first of these not to have been in itself wholly irrecoverable; for the strength of the public credit did not, in my opinion, turn so much upon the personal influence of that minister who had the chief management of it, but upon the knowledge and experience which the whole allegiance abroad had justly conceived of his firm adherence to the common cause, which made them very naturally infer that the laying him aside was a plain indication that the interest of the allies was declining in Great Britain; and the consequence is as plain that the public credit, which had been raised at first and supported chiefly upon that foundation, might necessarily decline with it.

"Now the public credit being once broken, it is not, with great submission, in the power of the queen and Parliament in conjunction to restore it again, without the help of more time than our present circumstances will, I doubt, allow; nor can it be restored, even with the help of time, unless that time be employed in creating the same confidence in

the allies abroad of the ministers her Majesty pleases to employ as they had in those who went before them, which was the true and solid foundation of bringing the public credit to so great a height in England.

"The second particular—viz., the dissolution of the last Parliament—had not much effect upon the foreign affairs, otherwise than as it was a great confirmation of the former stroke given to the credit, and looked upon by the allies to proceed from the same causes, which consequently had very much increased their distrust and jealousy of the British councils.

"From this distrust and diffidence it is that I apprehend all the ill consequences imaginable to the queen's affairs. I see no step made to remove them since the meeting of the Parliament, but rather the contrary. Talking never so big, nor voting never so well, signify very little towards carrying out the war with effect if there be not an entire conjunction and harmony betwixt her Majesty and the allies abroad as it has been hitherto; and if, as the French have been already gratified on the two first points, they must also have the farther satisfaction of seeing the assurances from their friends here made good by the Duke of Marlborough not serving any more, this must needs give the finishing stroke to the dropping alliance, and make it fall to pieces immediately. Nor, when this is more certainly known, will France so much as hearken to any proposal for a general peace, but expect the allies shall treat separately, as they certainly will be obliged to do; for they always looked upon the Duke of Marlborough as the great cement by which the whole confederacy was held together, as well as the rest of the allies, make the best terms they can for themselves when the alliance is once broken. Can it enter into anybody's imagination, that the queen of the British nation will have any services from France but what shall be in favour of the Pretender? Is it not also to be apprehended that if the nation sees itself driven to such a plunge, it may put the Parliament upon addressing to the queen, to give the command of her army to the Elector of Hanover; and what a difficulty that would bring upon her Majesty, either in granting or re-

fusing, I leave you to judge. There is yet one consideration behind, worse than all the rest, which is, that when the queen is brought under such difficulties, it suggests but too much encouragement to attempts against her person, according as it shall appear to be for the advantage of either faction at that conjuncture. This is the most melancholy reflection of all, for we are all bound up, *as one may express it*, in the queen's life, which God Almighty long preserve, and direct her for the best in *all* things. This shall be in all events the constant prayer of your lordship's most obedient humble servant."¹

The revolution at Court brought to the front of the political stage two men who, on that account, henceforth demand attention—Robert Harley, who became Earl of Oxford; and Henry St John, who became Viscount Bolingbroke. Their position as ministers of the Crown, brought forward a third, Robert Walpole, who was himself, in a later reign, to be a conspicuous and powerful minister, but whose position at our present period was one peculiar to the democratic government of Britain—the leader of the Opposition. Harley came of a republican family. His father—a Hertfordshire squire—was a conspicuous member of the Long Parliament. Though it fell to the son to be ranked among Tory, and almost among Jacobite, politicians, he retained to the last the religion inherited from his father as a Presbyterian Nonconformist. He has become well known in literature as the gatherer of the manuscripts making the Harleian Collection in the British Museum, catalogued by Dr Johnson in two folio volumes.

¹ On the back: "St James's, July 12, 1764—I thought this had been the D. of Marl. but believe it is the Treasurer Godolph." The handwriting is recognisable as his.—Brit. Mus. MSS. 28055.

From the Tracts on Historical and Constitutional matters collected by him through years of unceasing industry, the 'Harleian Miscellany' has put in print a selection from his stores at the command of ordinary readers.

Harley's study of political archæology was profound and practical. In Parliament such a knowledge at that time was a power in itself, as it had been still more emphatically in the days of Selden and Hampden. His knowledge especially of the forms and constitutional privileges of the House of Commons, gave him great influence there; and in 1702, when he was forty-one years old, he was chosen Speaker, serving for several years in that high office. Two events in his life make occurrences in our history—the treason of his subordinate Greg, and the attack on him with a knife by a frenzied foreigner. That Robert Harley was by nature a cunning man, and in practice what is colloquially called a tricky man, or a trickster, is a doctrine as deeply rooted in historical opinion as the military skill of Marlborough and the oratorical accomplishments of Bolingbroke. It is useless to contradict the opinion, because it cannot be disproved. But a consciousness of this opens up the question, How far the opinion, so confidently adopted, is capable of proof, since it is the property of a wisely cunning nature to keep the nature itself a secret? There is another question, however, of some importance, and perhaps more easily answered, How did the opinion of his cunning nature arise? One of the objects of Dean Swift's wayward friendships and hatreds was Dr William King, who, in 1694, became Archbishop of Dublin. He was a thorough champion of the

Revolution Settlement, and it was free to any one to believe that it was his soundness in politics rather than in doctrine that founded his distinguished fortunes. Swift wrote and printed the following account of his life and character: "For his great sufferings and eminent services, he was by the late king promoted to the see of Derry. About the same time he wrote a book to justify the Revolution, wherein was an account of King James's proceedings in Ireland; and the late Archbishop Tillotson recommended it to the king as the most serviceable treatise that could have been published at such a juncture.¹ And as his grace set out on those principles, he has proceeded so ever since, as a loyal subject of the queen, entirely for the succession in the Protestant line, and for ever excluding the Pretender; and though a firm friend to the Church, yet with indulgence towards Dissenters, as appears from his conduct at Derry, where he was settled for many years among the most virulent of the sect, yet, upon his removal to Dublin, they parted from him with tears in their eyes, and universal acknowledgments of his wisdom and goodness."² In the interpretation of this certificate of character, the fact may be taken at what it is worth that Swift attempted to suppress it. But, as an annotator says, "Whatever induced Swift to efface this character, the public, once in possession of it, will not contentedly part with it. It is too precious a morsel to be lost."³

¹ "The State of the Protestants in Ireland under the late King James's Government." 4to, 1691.

² A Letter from a Member of the House of Commons in Ireland to a Member of the House of Commons in England, concerning the Sacramental Test, written in 1708.—Swift's Works, iii. 129.

³ Note, Nichols's edition, iii. 135.

Something in the same tone might be said of the following passage, written by Swift, in a letter to the Archbishop, on the 23d of February 1708: "Mr Harley had been sometime, with the greatest art imaginable, carrying on an intrigue to alter the ministry, and began with no less an enterprise than that of removing the Lord Treasurer, and had nearly effected it, by the help of Mrs Masham, one of the queen's dressers, who was a great and growing favourite of much industry and insinuation. It went so far that the queen told Mr St John a week ago, that she was resolved to part with Lord Treasurer [Godolphin], and sent him with a letter to the Duke of Marlborough, which she read to him to that purpose; and she gave St John leave to tell it about the town, which he did without any reserve; and Harley told a friend of mine a week ago, that he was never safer in favour or employment. On Sunday evening last the Lord Treasurer and Duke of Marlborough went out of the council, and Harley delivered a memorial to the queen, relating to the emperor and the war; upon which the Duke of Somerset rose and said, 'If her Majesty suffered that fellow' (pointing to Harley), 'to treat affairs of this war without advice of the general, he could not serve her,'—and so left the council. The Earl of Pembroke, though in milder words, spoke to the same purpose: so did most of the lords; and the next day the queen was prevailed on to turn him out, though the seals were not delivered till yesterday. It was likewise said that Mrs Masham is forbid the Court,—but this I have no assurance of."¹

¹ Swift's Works.

A letter forecasting the future with so close an anticipation, was likely to be credited in all its parts, including its estimate of Harley's character. The Duke's taunt on Harley is otherwise told, as merely a remark that certain business could not be profitably transacted at the council board in the absence of the commander of the forces and of the Lord Treasurer.

There is nothing more specific to compromise Harley as an abettor of the Jacobites, than his inscrutability and the opening this left for conjectures and suspicions. Something was said about a message sent by him to Marshal Berwick, through the French negotiator Gaultier; but neither it nor any other fact or document known to have existed commits him to a restoration policy. Casual and fugitive suggestions of Jacobitism have all the less influence as testimony in his instance, as he would have had to cross a great gap severing him utterly from the Jacobite cause. Trained as a Whig in politics and a Dissenter in religion, his adherence to the Jacobite cause would not have been a gradual lapsing towards extremes, but a conspicuous conversion, to be named by his new friends a recognition of his loyal duty, and by his old a treacherous apostasy.¹

Between him and his colleague, Bolingbroke, there lurked a deeply-seated animosity. Swift, who was ever vaunting his new-born glory as a confidential

¹ This picturesque touch to Harley's reputation was deposited by Wodrow, the honest historian of the Covenanters, in his secret notebook: "It is said sometimes he takes a bottle; but otherwise he is morall, and never fails to pray with his family at night: and be it ever soe late ere he come in on the post-night, yet still they must all wait till prayers."—Wodrow *Analecta*, i. 324.

companion and adviser of the two who ruled the empire, made this animosity conspicuous by descanting on his ridiculous efforts to bring the two great men to a reconciliation.

We may perhaps find a revelation of the discord when, on the accession of the Hanover dynasty, Bolingbroke found that his proper place as a consistent and honest man was among the Highlanders and Irish plotters at the Court of St Germain. While they were colleagues, Harley must have known that his fellow-minister had gone over to the enemy. Unless he was prepared either to join his colleague in his treason, or to arraign him for it, it was difficult for them cordially to co-operate in the government of the kingdom; and a personal quarrel resting on incompatibility of temper or any other secondary cause was the easiest way to avoid troublesome political scrutiny.

Though Harley and St John were for a time closely united in politics, they had little in their characters to unite them in friendly intercourse. Harley was, whether in his library or in political affairs, the plodding scholar and the man of business. St John was the inspired son of genius. He was a being formed on a model that had come into notice in France, where it was copied from the great monarch himself. Its type was the man of pleasure, who can at an instant's notice become the man of affairs. Display, luxury, and riot appeared to ordinary mortals all that such a being was capable of achieving; but let the sudden crisis come, and the call to action, though dragged from the gaming-table or the "midnight modern conversation," as Hogarth has

immortalised such scenes, the debauchee became clear in council and prompt in action.

In France the realisation of this character seemed to penetrate through all grades of active public life. It was conspicuous in the army, where the commander, who seemed the indolent slave of the luxuries of the table, could come forth terrible in battle when the foe was at hand. The courage of these sybarites was never questioned. But a more scrupulous public opinion than France could at that time boast of, would have condemned the commander whose motive for marching in a certain direction, or for the selection of winter quarters, was the capacity of the district to supply the luxuries of the table at headquarters. It cannot be said that the spirit of uniting the man of affairs with the man of pleasure tainted that branch of the service in Britain. In the statesman it was not open to the rebuke of endangering life; and at that period and long afterwards a touch of dissipation was almost an ornament to the character of an ambitious man.

When St John entered Parliament he attached himself to Harley as his senior. He at the same time met in Walpole the contemporary with whom he was to fight a lifelong battle in politics. They were of opposite tempers and dispositions; for Walpole, though he had his dissipated hours, was a hard plodder at practical business. The two, however, were so well matched against each other as political pugilists, that tradition traced their enmity to the time when both were boys at Eton. There was something signally alike in the domestic rearing and the early youth of both. They were so near each

other in age that by some accounts both were born in the year 1676; but the birth of St John is brought two years later by his saying, in a letter to Sir William Windham, on New-Year's Day 1738—"Nine months hence I shall be threescore." He was a grandfather's and grandmother's pet—the grandfather, Sir Henry St John, living at Battersea, where he had his infant training. He carried from it the remembrance of a strong infusion of Puritanism, telling in after-life how "he was obliged while yet a boy to read over the commentaries of Dr Martin, whose pride it was to have made a hundred and nineteen sermons on the hundred and nineteenth psalm." Daniel Burgess, the celebrated Nonconformist already referred to, was a frequent inmate of the house. The youth of Walpole was spent in the house of his father, Sir Robert, a rich country gentleman, and a member of Parliament, who grudged the trouble of attending and voting except when brought up on pressing occasions. Though there was the savour of Puritanism, and the politics that were to receive the name of Whig, here as in the home where St John spent his boyhood, the Walpoles seem to have had a much larger share of the jolly life prevalent among the affluent squires of the day; for Robert remembered how his father used to press him to another and another glass, because it was not becoming that the son should see his parent drunk. Walpole's instincts were for the acquisition of power rather than empty fame, and he trimmed his life accordingly. We hear nothing of scholarly tendencies dawning on him, except a partiality for Horace. If a capacity to acquire languages had been at the service of his

practical ambition, he ought to have made himself thoroughly master of colloquial French, for that, in the days when he entered life, was the surest qualification for high statesmanship. Then, as the favourite minister of the Hanover succession, it might have served him well to have been acquainted with the German language; of course this accomplishment was not offered to him in boyhood—it would have been as preposterous to expect it in the great public schools as to expect the teaching of the Malay or Cherokee tongues. If the opportunity has not come in youth, such acquisitions are a hard ungenial toil for the man; and one who entered Walpole's sphere of daily public business could ill spare the time for the acquisition even if he had overcome the natural revulsion from the task. And so we are told that George I. and he used to communicate—or at least aid their communications—by the use of the Latin language in a signally barbarous form. St John was perhaps as unlikely as his rival to commit the eccentricity of diving into German, but he was saturated with the orthodox accomplishments of the day, and his mastery of the colloquial French was of signal service to a minister responsible for the subtle negotiations that ended in the Treaty of Utrecht.

Walpole was a good speaker when he had a case to make out, and had thoroughly studied it in all its strength and all its weakness. Bolingbroke has come to us with the reputation of a brilliant orator; and a sort of mysterious glory seems to haunt it from the condition that we are not able to test the accuracy

of the eulogiums on his speeches, since not a genuine morsel of them remains.

Walpole was made Secretary at War in 1708; and he was placed in another conspicuous position as one of the managers of the impeachment of Sacheverell. The most signal among the passages-at-arms in the political and personal contest between Bolingbroke and Walpole lie beyond our period. But one effective and significant blow was dealt within it, when Bolingbroke was Oxford's colleague, and Walpole, leaving office with his friends, had become a formidable member of the Opposition. There were brought up against him two acceptances in his favour, amounting, in all, to a small fraction above a thousand pounds. This money, it was said, he had received as the consideration for passing, as Secretary at War, certain contracts for forage in Scotland. This was corruption; and, according to the peculiar practice of the day, his brethren of the House of Commons sat in judgment, and punished him by expulsion and committal to the Tower. Thither he went on the 21st of December 1711; and in June following, the conclusion of the session brought his release. He explained that the bills had been drawn in his name by a mistake. The person entitled to the money was a person of the name of Man, who was favoured in the contract. But the explanation did not prove that in the transaction the public had reaped the benefit of fair competition, and that, if not the Secretary at War, yet some other person had obtained money out of the transaction.

The practical adoption of the new policy was completed in the autumn of the year 1710, Harley

becoming Chancellor of the Exchequer in August; and St John Secretary of State on the 21st of September. We have seen how Harley resigned his former office on account of the misconduct of an assistant in his department, who was executed for high treason. He had not been long in his new office ere an incident more serious befell him. A foreigner named Guiscard, who claimed the title of marquis, frequented some dissipated circles in London, where he met both the new ministers. He was a person of evil repute; but he could conduct himself according to the usages of good society: and if he had the honour of occasional orgies with those he met there, the occasion would be free from the debasement that accompanied him into less select society. With the ideas of a foreign adventurer of his class he thought his fortune was made when the two men whom he could call social friends were raised to power, and were masters of the vast treasury of the British empire. Some efforts, such as would not bear scrutiny at the present day, were made to satisfy his greed; but they were all insufficient,—and he entered on negotiations for selling British secrets to France.

His foreign correspondence was detected, and he was arrested. He was brought to a meeting of the Council in the Cockpit, and confronted with his intercepted letters. Being infuriated, he was seized with the blood-frenzy, called in the East running amuck, and with a pen-knife stabbed Harley, who was nearest to him. St John and others drew their swords, and after wounding Guiscard, seized him, and had him committed to prison, where he died.

The wound to Harley was not very formidable, though the assassin's knife was broken in inflicting it. He recovered from the wound; but it left a wound of another kind rankling in the heart. St John claimed merit from the consideration that the assassin showed, by his gesture and demeanour, that he was the real object of vengeance; and thus it has been said there grew out of a mere coolness a quarrel that made these two statesmen political enemies.¹

The new Parliament assembled on the 25th of November 1710. The first significant act was the choice of a Speaker for the House of Commons. It fell on William Bromley, one of the members for the University of Oxford, noted as the champion of the bills against Occasional Conformity. He was one of a group of politicians whose zeal for the High Church party, now generally called the Tory party, exposed them to the taunt of Jacobitism.² This makes often a

¹ The Right Honourable Richard Hill wrote to Godolphin about Guiscard thus:—

"I am more perplexed about the Marquis de Guiscard, who was to be my *général de débarquement*, and served us about six months in that quality. When that was ended, I did disband him as great princes use to do. I gave him for his own subsistence 300 louis d'or, and advised him to retire again into Switzerland, where I had found him. I found he expected rewards or pensions for his zeal and goodwill, and perfect hatred of his country, and his readiness to serve us. I told him I would represent him fairly to the queen's ministers, and expect her Majesty's orders. I can make no more use of him; but if your lordship has any consideration concerning him, you will please to let me receive your commands."—Brit. Mus. Addl. MSS., 28056.

² "This great leader of the Tory and Jacobite interest died, February 13, 1752, at Baggington. In the reign of Queen Anne he had been highly caressed, respected, and honoured. . . . In that of George I. he retained his principles. Mr Bromley was a most respectable character in private life, and of a grave and solemn aspect. He was well known when a young man by the publication of his travels, in

confusing element in the history of the period, since it is certain that a large body of the most zealous High Churchmen had, in their very zeal for the Church of England, a hostility to Jacobitism, as hostile to that Church, and enslaved to the Church of Rome. The speech from the throne became noticeable afterwards as foreshadowing rather energetic war than immediate peace. Peace was no doubt desirable. The sovereign said, "I am sensibly touched with what my people suffer by this long and expensive war, to which, when it shall please God to put an end, the flourishing condition of my subjects shall be as much my care as their safety is at present." But in the meantime, "the carrying on the war in all its parts, but particularly in Spain, with the utmost vigour, is the likeliest means, with God's blessing, to procure an honourable peace for us and all our allies, whose support and interest I have truly at heart. For this purpose I must ask from you, gentlemen of the House of Commons, the necessary supplies for the next year's service; and let me put you in mind that nothing will add so much to their efficacy as unanimity and despatch."

In the adjustment of the responsive address there were incidents that would go for little were it not for the critical conditions that brought Parliament together. A member seldom conspicuous—Mr Lechmere—suggested that the opportunity might be taken "to caution her Majesty against such measures and principles as might weaken the settlement of the crown in the illustrious house of Hanover and

which his Jacobitical principles were strongly marked."—Noble's Continuation of Granger, *Parl. Hist.*, vi. 924.

advance the hopes of the Pretender." This seemed to fall in dead silence; but it suggested a taunt that seemed to threaten the party in command with formidable suspicions; and Harley is reported as having said, "that though the Protestant succession was already sufficiently established and secured by several Acts of Parliament, so that it seemed needless to add anything to them, yet since a motion was made in favour of the illustrious house of Hanover, it would look strange, both at home and abroad, the same should drop." "Whereupon it was resolved that the clause offered by Mr Lechmere should be inserted in the address, which was done accordingly."¹

In official and parliamentary phraseology there was a fastidious hesitation about the use of the word "Pretender," especially if it inferred the existence of persons in Parliament or in office looking in that direction; but here it was in the address, and it went thither by the advice of Harley. But whatever might be thus offensive in the address, was outweighed by earnest reference to those among whom Jacobites were known to exist, by the title the queen delighted to honour, as friends of the Church "we return your Majesty our most humble thanks for the firm assurances you have given, both by your words and by your actions, of supporting and encouraging the Church of England as by law established. As we are true sons of that Church, we cannot but be tenderly concerned for its prosperity and for its honour, and are, by affection and principle, inclined to secure its doctrine, discipline, and worship."² There would have been occasions when members for

¹ *Parl. Hist.*, vi. 930.

² *Ibid.*, vi. 931.

Scotland might have taken fire at the definition that dragged them into arrant prelacy; but among the Scots representatives in that Parliament there were some too sensitively open to the suspicion of Jacobitism, and of designs for bringing over "The Pretender."

The first business touching party politics undertaken in that Parliament, was an attack on the expelled ministry for their conduct of the war in Spain. It was cautiously arranged, to avoid rashly touching on the point without full information, that the inquiry should point to the question how far the commanders in that war—Peterborough and Galway—had done their duty? So far as the inquiry continued ostensibly to take that direction, it is accounted for elsewhere. But after a considerable course of detailed inquiry, the investigation takes a turn thus: "However the Earl of Galway, who commanded your Majesty's troops at that time in Spain, may have deserved to be censured in other respects, we cannot charge him with the deficiency of 1710 men, twice reckoned in the regiments of Hotham and Hill; nor of 876 men of Lord Barrymore's regiment, reduced by the Earl of Peterborough, and was then raising in England; nor of 1833 men, allowed for servants of the officers belonging to the regiments actually in Spain, and not reduced at the time of the battle; nor for 154 of the widows of men for all the regiments in Spain at that time; nor of 3741 men of the regiments of Farrington, Hamilton, Mohun, Brudenel, Allen, and Toby Caulfield, that were reduced some time before the battle; nor of the 622 non-commissioned officers and private men of Blosset's regiment

that were reduced by the Earl Rivers, and incorporated into Sybourg's."

The matter of the widows is an instance of the subterfuge elsewhere referred to for diverting the army votes for effective troops to some extent into an insurance fund for widows and orphans.¹ The other figures infer a charge that Parliament had voted the pay of 8160 men not embodied—and it seems to be left uncertain whether the vote was to any extent uplifted so as to add dishonesty to negligence. The conclusion reached by the committee was—

"Having laid before your Majesty this faithful representation of the mismanagement of those persons intrusted with your most important affairs, and to whose counsels and conduct the fatal miscarriages of the war in Spain are in great measure to be imputed, we have an entire confidence that your Majesty will give such orders, and take such measures with regard to our present circumstances, as may retrieve the bad effects of that unhappy management, to the advantage of the common cause, and to the obtaining a safe and honourable peace." The royal answer was brief. After expressing thanks for the duty performed, there was assurance that, so far as the war in Spain was concerned, the sovereign would "give the best orders our present circumstances can allow of to put the affairs of that kingdom into a better condition, and to take such measures as may effectually contribute to the advantage of the common cause."²

It was observed that the question being one of the balancing of money, there was yet no specific account made up and accompanied by vouchers. Several peers

¹ See vol. i. p. 205.

² Parl. Hist., vi. 995-997.

took the special privilege of their House to pass protestations into the record of proceedings. And one point where several concurred was: "We think it unreasonable to proceed to a censure of the ministers for not supplying the deficiency without first resolving on the several particulars—how far that deficiency might be justly imputed to them; and we are of opinion that all the money given by Parliament for the service of Spain and Portugal, has been timely and punctually issued for those services."¹ The protestation at this point leaves on the record a signal testimony to the violence of the dissensions of the moment; while in a tantalising shape the party guilty of the particular violence is not revealed, the words on the record being, "The rest of this protestation was expunged by order, on the 9th instant, and is not legible."² Burnet says—"Protests were made against every vote in the whole progress of this matter; some of these carried such reflections on the votes of the House that they were expunged."³

By Burnet's account, the money voted had been applied to the raising of men with "extraordinary diligence;" but it was not possible with any diligence to bring the reinforcements to the battle of Almanza, as the vote had only passed in January, and the battle was fought on the 14th of April; and then he moralises thus: "But it signified nothing; for when resolutions are taken up beforehand, the debating concerning them is only a piece of form used to come at the question with some decency; and there was so little of that observed at this time, that the Duke of Buckingham said in plain words, that

¹ Parl. Hist., vi. 994.

² Ibid., 995.

³ Ibid., vi. 29.

they had the majority, and would make use of it, as he had observed done by others when they had it on their side."¹

Early in their career the new ministry despatched an expedition of a novel and ambitious character. It carried both a naval and a military force, but it did no fighting, and has a more suitable place in the materials for an estimate of the conduct and capacity of the men who projected it, than as a chapter of Queen Anne's wars.

At this period the British settlers in Canada and other territories accessible from Hudson's Bay, felt the pressure of France. If we were to apply the morals or etiquette of individual settlers on the waste lands of the globe to nations, it might be said that Britain was the aggressor; that France had chosen certain inhospitable regions, distant from the colonies of Britain and of Spain; that there was room enough for us elsewhere, and competition for the soil of the district they had retired to was aggressive. But we were at war with France, and entitled to strike where we could wound. Yet there was a better vindication of an expedition available, since a British colony had grown in the neighbourhood of the French settlements, and must be protected. Our position and claims in the northern regions of the American continent, were thus briefly noted by one who had full practical acquaintance with America—William Penn:—

"The English empire on the continent lies upon the south side, and we claim to the north side of Hudson Bay; but I should be glad that our north

¹ Parl. Hist., vi. 28.

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"The English empire on the continent lies upon the south side, and we claim to the north side of Hudson Bay; but I should be glad that our north

¹ Parl. Hist., vi. 28.

bounds might be expressed and allowed to the south side of St Lawrence River, that feeds Canada eastwards, and comes from the lakes westwards, which will make a glorious end from those lakes due west to the river, and traverse that river to the extreme bounds of the continent westwards, whereby we may secure 1000 miles of that river, down to the Bay of Mexico; and that the French demolish, or at least quit, all their settlements within the bounds aforesaid."¹

Another British settler, known as Colonel Nicholson, had planted himself further northward in the neighbourhood of the French colonies. He had made friends among the chiefs, and it was in connection with his negotiations that the five Indians visited London. He had invited settlers to join him, and, in fact, had given existence to the colony of Nova Scotia, and founded the town of Port Royal. It was the inevitable genesis of a British colony. Group after group of adventurous migrators gradually make a district populous. The theory of the constitution does not permit the citizen to hold himself free of the dominion of the Crown unless he passes under some other dominion, and the Crown had the corresponding duty of protecting its citizens. If France were not wounded in its Canadian colonies, these would absorb or destroy the infant British colony.

On the 4th of May 1711, an expedition sailed from Plymouth with the avowed object of taking Quebec from France. It was argued in support of ulterior objects, that the complete expulsion or subjugation of the northern settlements of the French

¹ 22d May 1709—The Coxe MSS. Mus. Brit.

was essential to the safety of our own great New England colonies. There were two offensive features in the expedition,—that part of the land-force was taken from Flanders, weakening the army of Marlborough; and the land-force was put under the command of Brigadier-General Hill—being no other than Abigail Hill's brother, the "good-for-nothing Jack Hill," the "tall boy" whom the duchess clothed, finding him "all in rags." On the 4th of June 1711, the expedition reached Boston. And we are told that "the fleet, upon their arrival here, consisted of twelve men of war, forty transport-ships, and six store-ships, with all manner of warlike stores, and a fine train of artillery, with forty horse for the use of the same."¹

At Boston the expedition was afflicted by one of many blunders. It was to obtain provisions as well as men at Boston—but the provisions were not obtainable, as no notice had been given of the needs that had to be supplied; and the rule of chance was vindicated by the excuse, that to send notice for the accumulation of stores would have been a dangerous revelation of a project kept in dead secrecy.

It was no compensation for this deficiency that the force under Hill was nearly doubled at Boston. It had originally been "about" 5000 men; it received an augmentation of 4000, partly English colonists, with a body of the refugee Palatines, who had migrated to America, and about 1000 friendly Indians, organised by the Indian visitors to London. The land-troops marched across the country and met the vessels on the shore of the St

¹ Tindal, iv. 215.

Lawrence. Putting to sea, they encountered storms and mists so formidable as to endanger all. The wisdom of every one who professed to have any piloting knowledge was exhausted for the steerage of the ships in mid-channel, but only sufficed to throw them on the shore among rocks. The ships of the line survived the disaster, but eight transports were lost and 800 men in them; and that the disaster was not more extensive was attributed to the courage and skill of the admiral, Sir Hovenden Walker. On the 14th of September the fleet reached Spanish River Bay, where the expedition lingered to discuss, without success, the question whether they could accomplish anything. There was an obstacle insuperable in the decrease, by the loss of the transports, of the imperfect supply of provisions; and it would be a fortunate conclusion if what remained of the expedition could return home. When it had accomplished this unsatisfactory feat, it had not yet exhausted its misfortunes. In Portsmouth one of the ships of the line—the Edgar, of seventy guns—was accidentally blown up, carrying with it to destruction not only the crew of between 400 and 500 men, but a multitude of cheerful visitors, who had come to welcome the return of relations or friends. It is necessary, before we part with this disastrous expedition, to note a distinction. It is often cited as the result of appointing to a position of heavy responsibility one having influence at Court instead of a man whose qualifications have been tested; but Jack Hill had no opportunity either of ruining the expedition or promoting its object. Such an affair, however, could not fail to be put in contrast with the brilliant

history of the war under the Government that had been expelled.

For interposition in America there was the plea of humanity. The French had treated the natives with cruelty and rapacity—it would be our interest and duty to cherish and befriend them. A body of eminent chiefs had visited London in state, and there displayed their finery, giving much amusement of an exciting kind to the town. A larger office in the work of conciliation was accomplished when William Penn, being troublesome at home, was sent out, receiving a territory fit for an empire as compensation for a debt due to him by the Crown. He was authorised to act much as he pleased, and his pleasure manifested itself in a rule of wisdom and beneficence. The Quaker became one of the greatest autocrats of the age. He formed at his own hand a code of laws for the government of Pennsylvania. The code was subject to the revisal of the Privy Council at home; but codification is troublesome work, and a body like the British Privy Council would not trouble itself with amendments and corrections unless deviations had been committed of a flagrant and eccentric kind. It is of interest to note that the record of the meetings of the Privy Council touch on some matters characteristic of the peculiarities of the Society of Friends.

For instance, on the 5th of February 1705, the Council sat on certain papers, the result of an authority given to William Penn “with the advice of the freemen of his province to enact laws, provided they are not inconsistent with those of England.” His laws were, according to the practice

of the Council, remitted to the law officers of the Crown; and in dealing with their report, certain enactments were selected as to which the Council "find divers reasons for her Majesty's disallowing and repealing them." Among these are: "The Law concerning Liberty of Conscience;" "An Act against Riots, Rioters, and Riotous Sports, Plays, and Games;" "An Act for the Trial of Negroes;" "An Act against the Mixing and Adulterating of Strong Liquors;" "An Act for the Names of Days and Months"—of this Act the object and tenor will be readily divined by any one who has had the satisfaction of conducting a correspondence with a member of the Society of Friends; "The Law against Scolding;" "The Law about the Manner of giving Evidence, and against such as Lye in Conversation;" "An Act against Drunkenness and Health Drinking;" with other Acts against other vices, announced with a plain definitiveness such as is still often necessary in legislation, though it is not of common use in literature.¹

It is sometimes said in commendation of the House of Lords, that in a new Parliament, while the Commons rush in, fresh from hot contest and inflated with victory, they meet in the Upper House the sedate remnant of previous Parliaments, carrying the weight, experience, and politics of the past into the ardent and triumphant present. There is always a considerable number of peers who have been members of the House of Commons; and all the bishops are generally Commoners who have commended themselves to the leaders of previous Parliaments. It was determined

¹ Minutes of Privy Council MSS.

by the new ministry to mitigate this sedative, if not reactionary influence, by the celebrated simultaneous creation of twelve peers. Their names were announced in the Gazette of the last day of the year 1711, along with the announcement of Marlborough's fall. Three of the new peers would otherwise, if they lived, have succeeded to seats in the House, and the others were men in a position to court and justify such a promotion, although, in the opinion of a considerable portion of the world, there was one exception to this policy in the selection of Abigail Hill's husband, who had succeeded to the family baronetcy, and was Sir Samuel Masham.¹

The party in the ascendant now felt themselves strong enough to strike a great blow, and it was to be at the head—Marlborough himself must be crushed. Such a project naturally ranks itself with our school-boy visions of Aristides, Coriolanus, and Belisarius. The fickle people, tired of ceaseless applauses heaped on the hero of their age, the saviour of his country, the warrior who had made its name renowned to all future ages, resolved to punish him for their own wanton superfluity of worship in the days of his glory. But there was political cause and effect in the reaction. Our associations with Queen Anne's period are so allied to high civilisation and intellectual polish, are thus so combined with all that has been achieved in civilisation down to our own age, that we forget how near it was to periods of civil war and deeds of tyranny and bloodshed. It belongs to that eighteenth century—the century of our fathers

¹ In the scrupulously accurate 'Synopsis of the Peerage' by Sir Harris Nicolas, he is called fourth baronet.

— which a few even among ourselves remember. But also it was the age of those who could remember the beheading of a king, and of the men next to the throne in eminence and power. On the other hand, the death on the scaffold of men so illustrious as Russell or Sidney, was no tradition of the fierce and sanguinary habits of remote and barbarous ancestors, but events so fresh and recent that no one could pronounce the spirit of hate and contest that had culminated in such tragedies to be dead and buried.

If the passions still existed, the conditions that might arouse them were neither impossible nor even improbable. To some people Marlborough might become a very dangerous man. A strange element of doubt and uncertainty hung over such of the statesmen of the age as had not made up their mind to fight and die for the Revolution Settlement and the Hanover succession. If it befell to the doubters to behold and possibly to assist in any arrangements for the restoration of the Stewarts, nothing was more likely than war; and if war came, nothing would be more likely than that Marlborough, the greatest captain of the age, should be the commander of the troops on the Hanoverian side. These were solemn and formidable items for reflection on the dubious; and as there is no doubt that in the new ministry and the ranks of their supporters there were those who went beyond dubiety to hold the more honourable position of attachment to the exiled house, there were many people who had a just fear of Marlborough. If, for all the greatness of his genius, he had committed crimes deserving punishment, it was natural that the people so imperilled should desire to see justice take its course.

The first approaches towards the critical struggle were made at the opening of Parliament on the 7th of December 1711, by a passage in the queen's speech in these few words—"I am glad that I can now tell you that, notwithstanding the arts of those who delight in war, both place and time are appointed for opening the treaty of a general peace." The Earl of Anglesey—of whom it was noted at the time that in the excess of his zeal he had travelled thirty miles that morning to take his place—urged the necessity of relieving the country from the burden of the war, and suggested that it ought to be left to "her Majesty's wisdom to conclude a peace when she thought it convenient for the good of her subjects;" and there came in the conclusion a sting,—“we might have enjoyed that blessing soon after the battle of Ramillies, if the same had not been put off by some persons whose interest it was to prolong the war.”¹

The queen had left the throne in solemn form at the end of the opening speech, but she had passed to the screened box or pavilion where she sometimes listened to the debates. Marlborough rose to accept the challenge. He rarely spoke in his place in Parliament or anywhere else. If we have his words accurately reported, they certainly prove that the calm dignity peculiar to him in the field of battle did not desert him: "He referred himself to the queen, whether, while he had the honour to serve her Majesty as general and plenipotentiary, he had not constantly informed her and her Council of all the proposals of peace that had been made, and had not desired instructions for his conduct on that sub-

¹ Parl. Hist., vi. 1036.

ject? That he could declare, with a safe conscience, in the presence of her Majesty, of that illustrious assembly, and of that Supreme Being who is infinitely above all the powers upon earth, and before whom, according to the ordinary course of nature he must soon appear to give an account of his actions, that he ever was desirous of a safe, honourable, and lasting peace; and that he was always very far from any design of prolonging the war for his own private advantage, as his enemies had most falsely insinuated. That his advanced age and the many fatigues he had undergone, made him earnestly wish for retirement and repose, to think of eternity the remainder of his days—the rather that he had not the least motive to desire the continuance of the war, having been so generously rewarded and had honours and riches heaped upon him far beyond his desert and expectations both by her Majesty and her Parliaments.” It is impossible for those who remember his fond prayers for such a result, breathed to his beloved Sarah, to doubt the sincerity of these words. He took the opportunity of the occasion to announce that “he was of the same opinion with the rest of the allies, that the safety and liberties of Europe would be in imminent danger if Spain and the West Indies were left to the house of Bourbon.”¹

There was more in this than a retort against an invidious remark. It weighed in an important question before a House that seemed equally balanced. According to established practice, there should be a response to the queen’s speech in an address. In a House ruled by the ministry of the

¹ Parl. Hist., vi. 1038.

day, that address was theirs. On this occasion, the Earl of Nottingham moved, against ministers, a special clause to be inserted in the address, representing it as “the humble opinion and advice of the House, that no peace could be safe or honourable to Great Britain or Europe if Spain and the West Indies were allotted to any branch of the house of Bourbon.” This amendment was carried by a small majority—62 to 54. Narrow divisions are generally the occasion of opening up critical questions in parliamentary tactics. It was suggested that this vote was a mere instruction as to the contents of the address. The address itself had to be voted in substance. An opportunity might arise for reconsidering and perhaps reversing the vote; but no second division was taken, and the clause formed part of the address.

In the Commons a like amendment was moved, with the addition that a peace without the condition expressed in the amendment “might endanger the safety of her Majesty’s person and Government, the Protestant succession in the house of Hanover, and the liberty of Europe.” But this amendment was lost by the large majority of 232 to 106. We have seen that the state of the vote in the House of Lords led to a special readjustment of that House, often referred to as an important precedent.

The great object in the meantime was, ere some reaction came, to complete the ruin of Marlborough. A commission had been appointed to examine and report on the public accounts. Their report was demanded in September 1711, and appeared in the ensuing month of January. Sir Solomon Medinas,

a contractor for bread to the army, stated that he had paid, as perquisite or bribe, to the Duke of Marlborough, the commander-in-chief, a sum of 332,425 guilders; and other contractors specifying additional items, the total sum so received was reported by the committee as amounting to £282,366. On hearing of this disclosure, Marlborough, who was at the Hague, wrote a letter to the commissioners. This letter commences with the curious acknowledgment that the rate of payment on which the total is calculated "is no more than what has always been allowed as a perquisite to the general or commander-in-chief of the army in the Low Countries, both before the Revolution and since." Then comes a significant qualification of the unhappy expression "perquisite." "I do assure you, at the same time, that whatever sums I have received on that account have constantly been applied to the service of the public in keeping secret correspondence and getting intelligence of the enemy's notions and designs."¹

¹ Parl. Hist., vi. 1051.

CHAPTER XVI.

The Treaty of Utrecht.

DEATH OF THE EMPEROR OF GERMANY—SUCCEEDED BY THE ARCHDUKE CHARLES—HE NO LONGER A PRACTICAL COMPETITOR FOR THE CROWN OF SPAIN—PROSPECTS OF PEACE—INTERESTS OF BRITAIN IN ADJUSTMENT OF TREATY—NAVY AND COLONIES—THE POSITION OF THE NORTHERN POWERS—SWEDEN AND CHARLES XII.—MARLBOROUGH'S VISIT TO HIM—PETER THE GREAT AND RUSSIA—NOT ADMITTED TO THE GRAND ALLIANCE—DIFFICULTIES FROM THE ARREST OF HIS AMBASSADOR IN LONDON—THE CONFERENCE OF GERTRUYDENBERG—THE CONFERENCE OPENED AT UTRECHT—REPRESENTATION OF THE COMMONS—STIPULATIONS OF THE TREATY.

THERE was nothing yet to assure the world, of any check on the succession of battles or any mitigation of the carnage that was draining Europe, when the death from natural causes of a man in his thirty-third year opened a new historical vista. On the 17th of April 1711 the Emperor Joseph died. He left two daughters, one of them afterwards married to Augustus, King of Poland—the other to Charles, Elector of Bavaria. Had either of these been married before their father's death, a force might have been brought into the election of emperor—there might have come such an event as that war in the middle of the eighteenth century, ending in the transference

of the imperial succession from the house of Hapsburg to the house of Lorraine, by the election of the husband of Maria Theresa, the niece of the Emperor Joseph, and the daughter of him whom we have been accustomed to meet with the title of "King of Spain," in the British nomenclature of the heroes of the war of the succession.

It is of rare occurrence in history to find a casualty so fortunate in its influence. It had been found impossible to make Charles the actual King of Spain. It would have been a disaster had that throne been secured to him. It would now be a mighty political blunder to force him into it or let him take it. The union of Spain to the Empire would be to restore the days of Charles V. when the Empire threatened to absorb the separate European powers—it would create the very dangers that King Louis had been likely to achieve, with the centre of empire at Vienna instead of Paris. The danger was not in a king of the race of Bourbon reigning at Madrid. It mattered nothing to Britain of what race the king who reigned over Spain alone descended. The danger to Europe was that a king so ambitious as King Louis might bring it to pass that Spain and France were governed by one successor of the house of Bourbon. That danger was washed out in blood.

Had the Empire been hereditary and exempt from the Salic law, the elder daughter of the Emperor Joseph would have succeeded him. But there was still the form of an election, and to have promoted a girl to fill the throne of Charlemagne would have been to throw a weak hand into a perilous game. The contest was stiff enough when Theresa Maria

brought into it her husband and champion, Francis of Lorraine. The imperial throne was an easy seat for Charles VI.; and the supine pomp of his nature, wasted in a contest where promptitude and hardihood were more in demand, was thoroughly suited to the lofty serenity that would be expected in a new Kaiser Karl. For all the respect that the German nature would bestow on such qualities it could also see their comical side; and the ex-"King of Spain" was celebrated in German history as him who had lost a coronation at Madrid, because the escort afforded to him was not equal to the augustness of the occasion.

Had there been the slightest misgiving among the Powers united in the Grand Alliance, founded on a supposition that they were still bound in honour to demand the throne of Spain for the Austrian claimant, a new force had gradually gathered to a strength that would have made the attempt hopeless. The Spanish people had pronounced for the French succession. A Philip V. came naturally into the dynasty of Spanish sovereigns. He had been several years in Spain, and had kept state in the capital. His enemies counted as chief among them the heretical monarchy of England, whence a sound son of the Church had been driven for no other reason than this soundness. If the Spanish people were not sufficiently instructed in the history of the period to find this out for themselves, the priests told it to them, along with many other things tending to strengthen their attachment to King Philip.

To resist these conditions—to fail indeed in promptly yielding to them—would be the opening

of a fresh war on new issues. The original object of the war, so far as Britain was concerned, had dropped along with the danger that prompted it. That danger was the power of France waxing by victories and by absorption until it bid fair to establish, like imperial Rome, an empire over all the civilised world. The operative cause of the paralysis was one that good and generous men, even among the bitterest enemies of France, could not contemplate closely without horror and compassion—it was the clearing away of the male population on the battle-field. After the battle of Waterloo it was announced, on scientific physiological authority, that the children then coming into the world would not, when they grew to manhood, so replace the losses of France as to enable her to threaten her neighbours again. She must wait for a third generation, and, counting fifteen years to each, the world would be at least forty-five years older ere the new opportunity came. We know how thoroughly the event justified the prediction.

The sufferings on the British side were far more loudly proclaimed, but were far from reaching the extremities that paralysed France. Many of our young men were wiled, or, it might be said, trapped, into the military service of the country; but they were not driven to it in herds by the arbitrary rule of conscription. For the greater part of them they accepted the soldier's career, with its mingled enjoyments and miseries. And yet there was an element in the condition of the French peasantry that made military service a better bargain to them than it was to the English. These went forth from abodes of frugal comfort to the mottled life of excesses and

perils. There were traditions of old rural plenty in France, but in the reign of the great Louis the condition of the peasant was a chronic hovering on the borders of starvation. It was a necessary condition of his acting effectively as a soldier that he should be well fed and well clothed; so that, although forced into the position, it gave a substantial consideration for its risks and hardships. This aided, if it did not create, the phenomenon of the revival that brought a French army, even when France was at its most abject state of depression, to fight Marlborough at Malplaquet. The royal appeal to the people was not made empty-handed. The jewels in the royal treasury were sold, and the bullion minted into money. The example so set was followed by the rich patricians. There is suspicion that another large element of wealth went to augment this store. When Barcelona was taken by Peterborough, and the Duke of Anjou fled from Madrid, he carried with him the Crown jewels of Spain, believed to be the richest collection of the kind in the world. But all was dispersed by the defeat at Malplaquet. There the last stake was thrown and lost. France was more abject than ever. Half a century must roll past ere she could again oppress or bully her neighbours. And it behoved the statesmen of the other countries to readjust the position of the European powers.

The question of the succession to the Empire was so clear, that it settled itself with a quietness like that of the succession of an eldest son to the throne filled by his father. That over, the vital question with all the Powers concerned in the war, was the terms of a treaty of peace, to be final and comprehensive.

Diplomatic statesmen were naturally, in preparation for the great event, busy over Europe. A great French statesman, Jean Baptiste Colbert, had been for some years at the Court of London exchanging freely with British statesmen information and ideas; and the history of these conferences, published in French, was translated into English. Matthew Prior, the poet, was sent to Paris to feel the way to a conclusion, by giving and receiving suggestions; and at the same time Nicolas la Baillie Mesnager, Comte de Saint Jean, an able French diplomatist, attended at the English Court with certain powers. These extended to the signing of a preliminary treaty announcing the principal points conceded or demanded by Britain.

The Dutch looked upon the affair as entirely their own, and showed some grotesque tokens of resentment in not having a part in these preliminary arrangements. But all treaties must have their preliminaries, where those who have most to give or receive will have most to say. The great issue lay, in fact, between France and Britain; and the two great questions were, What must France yield? What would Britain concede? It infers no claim for peculiar generosity on our side, that the interests of the great nation that had come to ruin were safe in the superior power of Britain. According to an expression often used in more recent times, she "coveted no man's land." Whatever it might be in the far East, acquisitions of territory in Europe would only be to her a burden, threatening mischievously to disturb her home policy. Enough in the shape of aggrandisement to satisfy her acquisitive ambition

would be a strong station here and there for the protection of commerce.

The interest of Britain in the adjustment of the treaty lay chiefly in her colonial empire. She could acquire nothing on the continent of Europe but friendship and reciprocal trade; and the multitudinous disputes about petty territorial claims had no interest for her, except as they affected peace and trade. Her army had appeared at the hour of need — had rescued Europe as well as the country that owned it, from the extreme perils hanging over the beginning of the century. It had done its mission with a glorious efficiency that cast lustre on its country; but its services were not likely to be needed again for a generation, and the navy had superseded it as an object of critical interest. Prince George of Denmark had died in the fifty-sixth year of his age, on the 28th of October 1710. Whether from his inert character, or from the nature of the office itself, his loss was not felt as a change affecting the prospects of the navy; nor was the appointment of the Earl of Pembroke to succeed him, as Lord High Admiral, likely to create much interest.

A curious and scarcely decorous etiquette seems to have dictated the tenor of an address to the queen from both Houses of Parliament on the occasion. Reference being made to the periodical prayer of the Church of England that she might become "a happy mother of children," she is desired in the address, not so far to indulge her just grief "as to decline the thoughts of a second marriage." The queen's answer in these terms seemed effectively to evade the point:

"The frequent marks of duty and affection to my

person and government which I receive from both Houses of Parliament, must needs be very acceptable to me. The provision I have made for the Protestant succession, will always be a proof how much I have at my heart the future happiness of the kingdom. The subject of this address is of such a nature, that I am persuaded you do not expect a particular answer."¹

The death of the prince occurred at a time when it solved some difficulties that, had they remained for active solution, might have made it necessary to investigate its sources and conclusion. There was a strong desire in the Whig party, still nominally predominant, to remove the prince from his office of Lord High Admiral. We have seen that Marlborough was reputed as ruling the navy as well as the army, through his brother, Admiral George Churchill, who was on the prince's council as a commissioner of the Admiralty. It appears that Godolphin had some critical discussions with the queen on the matter of removing her husband, and he wrote—apparently to Marlborough—on the 2d of November 1709: "The queen is at last brought to allow me to make such condescensions which, if done in time, would have been sufficient to have eased most of our difficulties; and would yet do it, in a great measure, if the Whigs will be but tolerably reasonable."² If in such affairs the sacrifice of a subordinate will suffice for the cleansing of difficulties, it must be made; and we find Marlborough exciting his brother to be the Curtius of the occasion. A few days before the date last cited, Marlborough says: "Finding you still continue

¹ Parl. Hist., vi. 777, 778.

² Coxe, iv. 318.

in the prince's council, and the Parliament now so near, I cannot be so wanting either to you or to myself, as not to tell you plainly, with all the kindness of a brother and the sincerity of a friend, that if you do not take an unalterable resolution of laying down that employment before the Parliament sits, you will certainly do the greatest disservice imaginable to the queen and prince, the greatest prejudice to me, and bring yourself into such inconveniences as may last as long as you live, and from which it is wholly impossible to protect you. Whereas, on the other side, if the considerations of making the queen's affairs more easy next session, of avoiding a great deal of trouble and disagreeableness to the prince and of real danger to yourself, as well as prejudice to me, prevail with you to comply with my earnest desire in this thing, I think I could be answerable to you that you could not fail of finding your advantage in it, doubly to what you do now, both in profit and quiet."¹ In fact the prince was on his deathbed at the time of Godolphin's critical remonstrances with the queen, and died a few days afterwards. This event, and the appointment of a new commission, in which the name of Marlborough's brother does not occur, cleared the political horizon of the impending storm.

The navy was not an object of satisfaction to the statesmen of the day, and when it came to be clear that our policy, when we should come to a treaty of peace, would be to look to such interests and make such claims as would bring our sea-forces into vigorous influence, there was a desire for remodelling the whole institution. For this task Prince George would

¹ Coxe, iv. 316.

not have been fitted, yet had he remained at his post, he was the chief in whose name the revival must be accomplished. The defects of the navy, it is true, were none of his perpetrating. He found them in full action when he became High Admiral. It occurred that just after he had entered on his high office a very sad tragedy brought the navy into serious disgrace, but the enterprise that gave occasion for it had been adjusted by his predecessor. In the winter of 1702, Admiral Benbow was cruising among the West Indian Islands when he found himself near the French squadron under Du Casse. The admiral had advanced, and coming within shot of the sternmost vessels of the French, brought his ship into line and signalled to his captains to bear up and join him. They gave no obedience to the signal, leaving the admiral's ship at the mercy of the enemy. A shot shattered his leg, and he insisted on being laid in a cradle on deck and continuing to fight his ship against the two rearmost of the enemy. The night separating the fighting vessels, the admiral again signalled to his captains to form line, but they sent one of their number to remonstrate with him on a charge of rashness, and to announce their refusal to partake in it. The French squadron separating, Benbow put in to Port Royal, and there issued a commission for the trial of his captains; and the country had the humiliation of hearing that officers of the British navy were tried for, and convicted of, "cowardice, breach of orders, and neglect of duty." Two of the captains were sent to Plymouth, where, in April 1703, they were shot. On good authority it is asserted how they "in the fatal moment showed such a firmness

and presence of mind as sufficiently demonstrated that their behaviour in the late engagement was not owing to any natural infirmity, but to a corrupt and wicked heart."¹

It is difficult to avoid a suspicion that the mutineer captains were Jacobites plotting to place their vessels in the hands of France.

There were other disappointments that, not presenting so tragic a picture, are apt to pass unnoted, from the disinclination of a country to dwell on unsuccessful warfare. There had been the failure at Cadiz.² There was to follow an unsuccessful attempt to balance the Benbow disaster, by the destruction of a fleet in the Garonne; but the officer in command of the expedition found the enemy to be too strong, and, justified by the unanimous opinion of a council of war, carried his ships home. It was said that in his estimate of the enemy's strength he had mistaken transports for fighting vessels. He was put on trial. The court acquitted him, but we are told that "the people were so incensed at the miscarriage that it was thought proper to discharge him from the service."³ A few months later there was a new vexation to the popular feeling, when a great expedition under Sir George Rooke, after hovering for three months on the French coast, returned without meeting an enemy. There was the same account rendered of thirty-five ships put at the disposal of Sir Cloudesley Shovel for a "grand scheme." "His instructions, which were very large, might be reduced to these three heads—viz., to annoy the enemy, to assist our allies, and to

¹ Lives of the Admirals, iii. 33.

² See vol. ii. p. 59.

³ Lives of the Admirals, iii. 5.

protect our own trade."¹ This last achievement he appears to have effected, for he was encumbered by a merchant fleet of 250 vessels. In short, at this period the history of our navy, though not disastrous as our triumphant career at other periods have been to our enemies, becomes dreary as a record of ineffective attempts and small successes.

Charles Talbot, Duke of Shrewsbury, who had been Lord Treasurer, and filled other offices in King William's reign, is found writing to Godolphin from his retirement in Italy, at an early period of the queen's reign, hinting at possible humiliation to the naval power of England.

"ROME, 2d June 1703, N.S.

"The letters of this week from Genoa and Leghorn bring advice that the French were fortifying Toulon and Marseilles, and at the same time putting out with all expedition—some letters say eighteen, some twenty-two—ships of the line, to be commanded by the Comte de Toulouse, who was expected there in a few days; that these, conjoined with some frigates they have cruising already in the Mediterranean and Adriatic, and with a great number of French and Spanish galleys, they counted would be strong enough to contest the dominion of these seas with the English and Dutch squadron designed hither; and though I am persuaded nothing of this nature I can write from here will be news to you, yet I would not omit giving your lordship this account, hearing that the French have misreckoned, and that the detachment intended will be of such a force as to put that matter out of dispute; for any misfortune that

¹ Lives of the Admirals, iii. 36.

should happen to us in a battle in this part of the world, where we have no ports nor friends, would be of so fatal a consequence that I am in infinite concern every morning I allow myself to think it possible."¹

Before the political prognostics gave distinct assurance to wearied Europe that France and the Grand Alliance were converging to a peace, some adjustments in the outlying nations prepared them for harmonious

¹ Brit. Mus. MSS., 20056, f. 19. The following scraps selected from the Miscellaneous Papers of Admiral Sir John Norris, perhaps point at some sources of imperfection in the administration of the navy.

Extract of a letter from Commander Greenhill to the Navy Board, 2d December 1707:—

"Notwithstanding the orders provided against the buying and selling her Majesty's provisions, it is so frequently practised, even to a scandal, that in discharge of my duty I can't conceal from you an instance thereof. Yesterday a rigger was passing through the yard in my view loaded with one of her Majesty's biscuit-bags full of bread, pretending dirty bread, accompanied by a woman with a ballast-basket wherein was several pieces of meat, which, by their own confessions to me, they had bought aboard the Salisbury, and though not immediately from the purser yet was with his cognisance, as the steward told me, he seeing it go over the ship's side."—F. 20.

By Sir John Norris, Vice-Admiral of the Blue Squadron of her Majesty's Fleet:—

"Whereas it is presented to me that there is two butts of stinking beer with a small quantity of damnified oat-meal and cheese on board her Majesty's ship Adventure, you are therefore hereby directed to go on board the said ship and take a strict and careful survey of the same, and transmit me an account, under your hands, of the defects of the said provisions. Dated on board the Exeter, this 30th December 1707, at Spithead. To the Masters of her Majesty's ships Nassau, Canterbury, Greyhound."—F. 42.

"That the great wages which are given in the merchant service, and the very low wages in her Majesty's, is one occasion that men do not so readily enter themselves therein: therefore it is proposed that the merchant's wages be lowered to 30s. per month, so that none by any fraudulent or collusive ways give more; and that the pay of the seamen in her Majesty's service be raised to 26s. per month to the able sailors before the mast, and 21s. per month to quarter gunners."—Brit. Mus. MSS., 28134.

co-operation in the universal pacification. Russia and Sweden stood aloof, each holding a position picturesque and peculiar, but signally contrasted with the destiny each was to fulfil in after-years. The Empire of Czar Peter, helpless for war, and courting peace and frugal industry, was silently to enlarge its material and moral influence until it became a spectre filling the rest of Europe with restless anxiety; while the warlike King of Sweden, by his astounding victories and formidable encroachments, brought on his dominions the political and moral diseases that shrank them up to mere provinces in the map of Europe.

Russia was of small account at the period of Marlborough's victories. Czar Peter was a man whose adherence and aid were welcome as those of any other petty sovereign's; but it was out of the question to admit him as a partner in the Grand Alliance. He sent Marlborough the decoration of a Russian order, and it was acknowledged, in a letter written in Latin, with the grandiloquent superfluity of courtesies and titles that renders the recent use of that language in diplomacy so bewildering a contrast to its severe simplicity in its classic days.¹

The booted warrior Charles XII. was eagerly sought, and Marlborough was sent at the busy period of the resumption of the war on a special mission, to ply him with judicious courtesies, and, if possible, secure him. We have his interview and the prospects it raised, in his own words, in a letter to

¹ "Serenissimo ac Potentissimo Magno Domino CZARI ac MAGNO DUCI PETRO ALEXIOWITZ, totius Magnæ Parvæ et Albæ Rosiæ Autocratori; nec-non aliorum multorum Dominiorum ac Terrarum, Orientalium, Occidentalium, et Septemtrionalium, Paterno Avitoque, Hæredi Successori Domino et Dominatori."—Despatches, iii. 345.

Secretary Harley, dated 27th of April 1707, succinctly put "on account of the great advantage the allies may reap from him, or the damage he may do us:"¹ "My first step was to Comte Piper, and this morning at ten o'clock I had an audience of the king, at which I delivered the queen's and the prince's letters. It lasted till dinner, and was afterwards renewed for a considerable time. The king expressed great tenderness and respect for her Majesty, as well as friendship for his Royal Highness, and seeming to be very well inclined to the interest of the allies; so that hitherto I have had good reason to hope my journey may have all the success her Majesty and the public expect from it. I am now taken up making my visits to the ministers, general officers, and other persons of distinction at the Court, so that you must give me leave to refer you to Mr Robinson, who will be more particular in his relation, having been my interpreter to the king at both audiences, though I always expressed myself in French, which the king understood for the most part himself."²

Some other points of discourse between the two great warriors have been flouted as inconsistent with the grave decorum of Marlborough's character; but, on the other hand, the words attributed to him will be recognised as thoroughly in their place by all who have studied the character of Charles XII. They are: "I present to your Majesty a letter, not from the Chancery, but from the heart of the queen my mistress, and written with her own hand. Had

¹ To Secretary Harley, 22d September 1707.—Despatches, iii. 377.

² Despatches, iii. 347.

not her sex prevented it, she would have crossed the sea to see a prince admired by the whole universe. I am in this particular more happy than the queen, and I wish I could serve some campaign under so great a general as your Majesty, that I might learn what I yet want to know in the art of war."¹

The two men so unlike each other in everything except supremacy in the battle-field, seemed in that to find enough to unite them in cordial sympathy. But the visitor saw also enough to suggest restraint and caution. The king was at that turning-point in his career when the flush of victory after victory merged into the mad obstinacy that, in the pursuit of the impracticable, brought him to his miserable end. Marlborough came in close contact with perilous matter. He had to see and confer, not only with Augustus, the Elector of Saxony, whom the Swede was driving from the throne of Poland, but also with Stanislaus Leszinsky, selected as his successor.

The contests thus arising led into ulterior paths where Marlborough could not have given aid if he would, and this impediment perhaps left him all the more free to administer sympathy. But King Charles, who could see no other policies or projects but his

¹ Coxe, iii. 169. This is taken from the Life of Marlborough by Lediard, who says: "Some authors call the genuineness of this speech in question, and think it too mean an adulation to proceed from the mouth of one of the Duke of Marlborough's rank and experience. But I rather take it to be an evidence of his skill in mankind. He knew the character of Charles and his foible, and could not have suited his words more to the purpose. They pleased not only the king, but the whole army, who adored him as much as every Frenchman did his great monarch. At least I heard the very words in the mouths of his officers for many months afterwards."—Life of John, Duke of Marlborough, &c., by Thomas Lediard, F.R.S., i. 460.

own, led his visitor on dangerous ground when he solicited co-operation in a project much at his heart, but not destined to receive his practical aid—the restoration of the Protestant communities on the northern continent to the immunities that, nominally conceded to them in the Treaty of Westphalia, had been lost in the mazes of later diplomacy. But it was not for one of the Powers professing to adjust the monarchy over the hot fanatics of Spain to display the banner of heresy.

After his return, we find Marlborough thus writing to Robinson, the British Resident at the Court of Sweden:—

"August 1707.

"I am very much obliged to you for the constant account you have given me of your negotiations at the Court of Sweden. Your last is of the 7th inst., by which I see with a great deal of concern how obstinately the King of Sweden insists upon the article of religion. . . . These proceedings cannot but tend to the greatest advantage of our common enemy at this juncture, and will be so far from advancing the Protestant religion in general, that it must, of course, be a great prejudice to it, and will hinder anything we might do in favour of it at a general peace."¹

As Britain did not interpose in the difficulties of the German Protestants, the matter does not become part of our history; but there is a temptation to print the following representation, addressed, apparently, to the British Government:—

"As it is evident to all the world—so undoubtedly

¹ In letter, partly in cipher.—Despatches, iii. 517.

your Royal Majesty knows—with what calamities the affairs of our religion are oppressed on all sides, and especially in the Electoral Palatinate of the Rhine; how the Serene Elector-Palatine has of late years taken upon him to overthrow the ecclesiastical state of the Palatinate, constituted by so much prudence of his ancestors, and so much loss of Christian blood, and of necessity has made it become precarious. Hence it is, that though the use of some churches there is altogether denied us, and granted only to Roman Catholics, it is indeed allowed to some; but under the specious pretext of concord it is ordered to be in common to both professions, whereby the exercise of our religion is disturbed and our access to the churches refused us; the college of our evangelical prelates, to whose care the churches and their revenues are intrusted, are molested and dissolved; the number of teachers is lessened, the salaries of many of them are abated, the ecclesiastical revenues are, contrary to the direction of our ancestors, shared with Roman Catholics; the same thing is done with schoolmasters and other administrators of churches and seminaries.”¹

In some accounts of this mission it is said that Marlborough had, and exercised, a discretion to pension Count Piper, and any other ministers of the King of Sweden who might be of service, and as a token of security to pay an instalment in advance. There is evidence that a subsidy out of the votes for

¹ 22d March 1702. “In the Diet of Ratisbon,” by “the Counsellors and Ambassadors of the Electors, Princes, and States of the Sacred Roman Empire of the Augustine profession there assembled.”—Brit. Mus. MSS., 28946, f. 35.

the war was promised, but instead of payment being made in advance, it appears to have depended on value received in services.¹

Whatever were the influences that swayed him, the well-known result was, that the obstinate ferocity of King Charles settled itself into a conflict with the Muscovite, so absorbing to his energies, and so exhaustive of all his available resources, that he gave no trouble to the Grand Alliance by quarrels with the Empire. His career in this contest has had the fortune to be told in a narrative so stirring, and at the same time so simple and distinct, that it has become known to generations of Englishmen as a standard school-book for instruction in the French language. It has thus been to them not only one of the most brilliant of romances, but has taught them the active sources of the distribution of the European states down to the time when this was recast after the first French Revolution. As a suitable announcement of the story of the king's active career, it is told how Marlborough, if he did not direct it, had penetration enough to feel assured that it lay at the heart of the restless king; and in that assurance felt relief from all anxieties, lest mischief might be in store for the Grand Alliance.²

¹ “As to what you mention in your former in relation to Count Piper and the two other Swedish ministers, it is very true what Mr Robinson writes—that they were promised the yearly allowance of £2500; but whatever may be thought fit hereafter, I do not see any necessity for the present payment of it.”—Marlborough to Secretary Boyle, 9th July 1708; Despatches, iv. 100. See Coxe, iii. 178.

² “Marlborough, qui ne se hâtait jamais de faire ses propositions,—et qui avait, par une longue habitude, acquis l'art de démêler les hommes, et de pénétrer les rapports qui sont entre leurs plus secrètes pensées, leurs actions, leurs gestes, leurs discours,—étudia attentivement le Roi.

There remained yet a visit to another Court to complete this diplomatic episode in the soldier's career. He took Berlin on his way, and conferred with the monarch of the new kingdom he had helped to make. This was essentially a visit of courtesy, for the policy of King Frederick in the great contest was securely adjusted, and required no prompting. As Hanover was in his way, he concluded all by a passing visit to the Court of the Elector who was soon to be his king. The rapidity of his motions is perhaps the most signal feature in the whole affair, and indicates skilful organisation. Though he must have had to treat with tedious etiquettes and other obstructions, he was but eighteen days absent from the head of his troops. It is difficult to believe a commercial traveller making such a circuit more rapidly in that age.¹

We have thus seen how Marlborough met the warrior-king of Sweden. At an earlier period he had seen Peter the Great in a dockyard in Holland, where he was seated on a log of timber, with an axe

En lui parlant de guerre en général, il crut apercevoir dans Charles XII. une aversion naturelle pour la France ; il remarqua qu'il se plaisait à parler des conquêtes des Alliés. Il lui prononça le nom du Czar, et vit que les yeux du Roi s'allumaient toujours à ce nom, malgré la modération de cette conférence : il aperçut de plus sur une table une carte de Moscovie. Il ne lui en fallut pas davantage pour juger que le véritable dessein du Roi de Suède et sa seule ambition étaient de détrôner le Czar après le Roi de Pologne. Il comprit que si ce Prince restait en Saxe, c'était pour imposer quelques conditions un peu dures à l'Empereur d'Allemagne. Il savait bien que l'Empereur ne résisterait pas, et qu'ainsi les affaires se termineraient aisément. Il laissa Charles XII. à son penchant naturel ; et, satisfait de l'avoir pénétré, il ne lui fit aucune proposition. Ces particularités m'ont été confirmées par Mme. la Duchesse de Marlborough, sa veuve, encore vivante."—Voltaire, *Hist. de Charles XII.*, l. iii.

¹ Coxe, iii. 153.

in his hand, clothed in a red woollen shirt, and the hat and trousers of an able seaman. At the formation of the Grand Alliance, it was a question whether the Czar, who had not yet arrogated the dignity of Sovereign of the East by the title of Emperor, should be attracted into the Grand Alliance ; but he had not then gained the battle of Pultowa, and though he might be treated as a friend to the cause of the allies, he was not deemed sufficiently important as a potentate to become one of the august allies.¹ The Duke of Muscovy, as he was called, was not at that time represented at the Courts of the great Powers by ambassadors. When Peter the Great had achieved that position, it befell that the treatment of his representative by some tradesmen of London caused a political crisis, and threatened to create a war. It proved a striking exemplification of the English spirit that, in the adjustment of the constitution, had set the law of private rights above diplomacy ; but it was also a lesson to have the limits of private rights so reasonably and accurately adjusted as to preserve the community from peril at the instance of any of its preposterous or greedy individual members.

In 1708 Peter's representative, the Muscovite ambassador as he was now called, had taken his audience of leave. He was indebted to tradesmen in London to the extent of £300, and one of these—Thomas Morton, a laceman in King Street, Covent Garden—after consultation with the other creditors, and the expression

¹ "Touchant les Moscovites, tâcher d'éluder l'affaire sans chagriner le Czar : mais qu'il ne convient de l'admettre dans le grand alliance."—Remarques des résolutions prise à la Haye le 16 avril, entre My Lord Duc de Marlborough, Messrs. les Etats Généraux et Prince Eugene ; Brit. Mus. MSS., 28093, f. 271.

of a general belief among them that their debtor would abscond without payment, sued out a writ, and arrested him on the 21st of July, as he was passing through an open street. The affair was unluckily managed. It was a period when the Mohawks were in their glory, and the streets of London were infested by ruffianism in various shapes. He resisted the officers as robbers or illegal assailants of some sort, and was overpowered by them. They conveyed him to a spunging-house—an institution half tavern, half prison, and altogether abominable, at “the sign of the Raven.” There he was detained, till the Earl of Faversham bringing with him a merchant of London, the two bailed him out. The whole was aggravated by the discovery that the ambassador had made arrangements for the payment of all his debts.

It will be easily believed that the Muscovite ambassador was enraged, and demanded the punishment of the offenders. The British sovereigns had, he said, ever been signally punctilious in arrogating the sacredness not only of the persons of their ambassadors, but of the menials in their trains; and told how the Earl of Manchester, the envoy to Venice, finding that some gentlemen among his attendants had been injuriously treated by custom-house officers at Venice, vindicated the honour of his country so firmly, that of the offenders some were pilloried and others committed to the galleys.

Several of the persons concerned were committed on a charge of assault; and though there was a certainty that no punishment could legally be inflicted on them—unless in the instance of the ambassador they had employed more violence or insult than they

could legally inflict on any man about town resisting an arrestment at the instance of his creditors—strong language was used to make the ambassador believe in strong measures. Her Majesty and her Privy Council were holding meetings on the matter. Nothing was omitted to show the perplexity, even the grief, of the queen and her ministers. But all this was unintelligible to a despotic Court; why should there be hesitation? The ambassador produced in the end a letter from his master the Czar, of a character to sweep away all dubieties and subterfuges from the question. He demanded that the culprits should be punished with death. He was in the middle of the conquering career that was speedily to reach its climax at Pultowa. Was Britain to have a war with the conqueror of the heroic King of Sweden for the protection of a shopkeeper and a parcel of men in the lowest stratum of the humble ranks—and these in the most odious savour with their own community at home—when the deed whence the ambassador suffered was on all hands admitted to have been a criminal outrage of a gross character?

The prosecution of the offenders took the solemn form of an information before Chief-Justice Holt in the Queen’s Bench; but it had a suspicious resemblance to a solemn sham when month after month it was making no progress, and the only end it came to was a natural death in the inability of the law to find any punishment that could be inflicted for seeking to recover a debt in the usual form. The Czar was favoured with abundant asseverations of regret, wrath, and horror for what had occurred, and was informed that an Act of Parliament was in prepara-

tion to carry a perpetual record of sorrow and contrition for the past, and to render such a calamity impossible in the future. On this it was suggested, that as the queen had power, by her Parliament, to render such outrages punishable in the future, let her, through the same potent medium, inflict punishment for the past; and it was useless to endeavour to convince him that there were things not to be done in Great Britain, even by the all-powerful Estates in Parliament.

Meanwhile the affair roused a general commotion in the diplomatic fraternity; and there being at the time several ambassadors in London, they met to discuss the matter in the house of Baron Spanheim, the Prussian ambassador. They desired that the denunciatory preamble of the Act might be strengthened in expression. That was a matter of taste. It was no more than decorating a statute with the poetry noted by the Chinese and other oriental nations as lamentably deficient in our laws and State papers; and so in the statute-book the Act is announced thus: "Whereas several turbulent and disorderly persons having in a most outrageous manner insulted the person of his Excellency, Andrew Artemonowitz, Ambassador Extraordinary to his Czarish Majesty, Emperor of Great Russia, her Majesty's good friend and ally, by arresting him and taking him by violence out of his coach in the public street, and detaining him in custody for several hours, in contempt of the protection granted by her Majesty, contrary to the law of nations, and prejudice of the rights and privileges which ambassadors and other public ministers, authorised and received as such, have at all times

been thereby possessed of, and ought to be kept sacred and inviolable."¹

The diplomatic body were thus allowed their own way with the preamble, but they made other suggestions rejected as inconsistent with the tenor and objects of British legislation. Among these was a proposal to strengthen the clauses of the Act, rendering the arrestment of ambassadors null, and those concerned in it, on conviction, punishable as "violators of the law of nations, and disturbers of the public peace;" and to place their offence in the category of high crimes. At the same time, the diplomatic body in vain protested against a clause providing that no one could be prosecuted for taking steps of legal remedy of any kind against any follower or servant of an ambassador, "unless the name of such servant be first registered in the office of one of the principal Secretaries of State," so that it may be publicly seen in the offices of the city magistrates. In a community where defects in the law are so nimbly hunted out and applied to fraudulent ends, even this precaution was not deemed sufficient; and there was a clause in the Act to prevent bankrupt debtors from qualifying for defiance of the law, by obtaining an appointment in an ambassador's household.

A copy of the statute, gorgeously bound, was in solemn pomp conveyed to the Czar, but with what effect is not on record. It seems probable that in his critical struggle, to be triumphantly completed at Pultowa in a few months, he thought the affair too

¹ 7 Anne, c. 12—"An Act for Preserving the Privileges of Ambassadors and other Public Ministers of Foreign Princes and States."

paltry for the issues of war with Britain. He showed his ill-humour, however, in a manner that amused the Town. Two young Russians visiting London, and claiming the title of prince, were received at the palace with great hospitality as royal persons. That they were in some measure related to the royal family seems certain. Peter, however, proclaimed loudly that they had no right to compromise him by accepting courtesies from the sovereign of Britain.¹

Before the treaty, destined to bring repose to Europe, came under deliberation, the small old town of Gertruydenberg, in North Brabant, got a name in the geography of history as the place where the negotiation for the treaty was resumed. But there no conclusion was reached, or even approached; and the only point distinct enough to be interesting in the purposeless discussion is the repetition of the demand that the King of France must clear Spain of French occupancy in two months. And this has only an interest from its curious unconformability to the progress of events, divulged when the treaty came to an actual practical shape.

The conference that was destined to be effective was opened at Utrecht on the 29th of January 1712. It had thus been but a month at work when, on the 1st of March, the Commons, after a laborious and fruitful investigation, presented to the queen a solemn representation on "the War in Spain, the Barrier Treaty, and the State of the Nation." In fact, an announcement of their views on the policy that Britain should express at the conference, where Britain

¹ Rapin and Tindal, iv. 103, 117.

was represented by the Earl of Strafford, and Dr Robinson Bishop of Bristol, Lord Privy Seal. The Commons found that at the signally effective early years of the war, the cost to England somewhat exceeded three millions and a half. The cost to the United Kingdom had now risen to seven millions, and there was a floating debt attached to it exceeding a million. The original agreement as to the proportions of the several forces to be furnished by the parties to the Grand Alliance had been that the Empire should equip 90,000 men, Britain 40,000, and the States 120,000. This last item might seem disproportionate to the others, but these others were sent to a distance from their own country, while Holland employed her troops near home, where she had mighty issues at stake. 42,000 were to serve in her many garrisons; and she was only bound to send 60,000 into the field. To the war in the Spanish Peninsula, the States had neither contributed men nor money, beyond a small force sent for a short period in 1705. And as to the King of Portugal, "notwithstanding that by his treaty he has obliged himself to furnish 12,000 foot and 3000 horse upon his own account, besides 11,000 foot and 2000 horse more, in consideration of a subsidy paid to him," yet it appears that he had never at any time sent 13,000 auxiliaries to the British and Austrian forces. It appeared that in the seven years beginning in 1705, the contingent furnished by Britain to the hapless Spanish war was a small fraction less than 58,000 men, while a subsidy had been voted to the emperor for thirteen battalions of infantry and thirteen squadrons of cavalry. The expenditure on the fleet

sent to hover round the Peninsula, was a fraction above six millions of pounds. Farther, "The charge for transports on the part of Great Britain, for carrying on the war in Spain and Portugal from the beginning of it till this time, hath amounted to £1,336,719, 10s. 11d.; that of victualling land-forces for the same service, to £583,770, 3s. 6d.; and that of contingencies and other extraordinaries for the same service, to £1,840,353." But the naval service was not barren to us. It gained Gibraltar and Port Mahon. There were considerable acquisitions, by plunder, at Vigo and other places, and great hoards acquired by naval officers in what we have found Peterborough calling "galley-hunting." It was in the land service in Spain that the weight of painful sacrifice rested. The expeditions were sent on the understanding that they would be supported by a strong Austrian interest among the Spanish people; we have seen how paltry must have been the aid obtained in that shape. The greed nourished by the subsidising of needy Courts becomes so familiar to all who follow the various divisions of the war of the Spanish succession, that the following, considered as strong parliamentary language by some, appears mild and decorous. It is noted that "the more the wealth of this nation hath been exhausted, and the more your Majesty's arms have been attended with success, the heavier hath been the burden laid upon us."

Farther, "At the first entrance into this war the Commons were induced to exert themselves in the extraordinary manner they did, and to grant such large supplies as had been unknown to former ages, in hopes thereby to prevent the mischief of a linger-

ing war, and to bring that in which they were necessarily engaged to a speedy conclusion; but they have been very unhappy in the event, while they have so much reason to suspect that what was intended to shorten the war hath proved the very cause of its long continuance; for those to whom the profits of it have accrued have not been disposed easily to forego them; and your Majesty will from thence discern the true reason why so many have delighted in a war which brought in so rich a harvest yearly from Great Britain."

A charge against the subsidised Courts is imputed in these sentences of a kind that it would not have been becoming in the House of Commons to utter collectively, whatever might be said in the heat of debate. But the terms of the rebuke court considerate examination, because there has been an inclination to infer that this and other allusions to an unbecoming self-interest in the continuance of the war are aimed against Marlborough and his brother soldiers. The Commons say in continuation:—

"We are as far from desiring, as we know your Majesty will be from concluding, any peace but upon safe and honourable terms; and we are far from intending to excuse ourselves from raising all necessary and possible supplies for an effectual prosecution of the war till such a peace can be obtained. All that your faithful Commons aim at, all that they wish, is an equal concurrence from the other Powers engaged in alliance with your Majesty, and a just application of what hath been already gained from the enemy towards promoting the common cause." It is believed by the Commons that the Empire is

drawing revenue from the territories recovered or acquired by British money, and the sacrifice of British lives, and it is desired that this source of revenue should be applied to the furtherance of the war where it is most needed, and that is in Spain. "And therefore," the Commons say, "we make it our earnest request to your Majesty that you would give instructions to your ministers to insist with the Emperor that the revenues of those several places, excepting only such a proportion thereof as is necessary for their defence, be actually so applied."

Something like fair co-operation being thus established, the Commons, in this interesting and momentous State paper, give assurance for themselves and their duty to the country and its allies. "As to the other parts of the war to which your Majesty hath obliged yourself by particular treaties to contribute, we humbly beseech your Majesty that you will be pleased to take effectual care that your allies do perform their parts stipulated by those treaties; and that your Majesty will for the future no otherwise furnish troops or pay subsidies than in proportion to what your allies shall actually furnish and pay. When this justice is done to your Majesty and to your people, there is nothing which your Commons will not cheerfully grant towards supporting your Majesty in the cause in which you are engaged. And whatever further shall be necessary in the war, either at sea or land, we will effectually enable your Majesty to bear your reasonable share of any such expense, and will spare no supplies which your subjects are able with their utmost efforts to afford."

There had been throughout the war, on our part, a

generous appreciation of the perils of the Dutch, and their need of the peculiar arrangement called the Barrier. Their danger was from France, and it was on that side only that they ought to seek protection. But the Dutch were stretching forth their hands upon certain territories, "particularly Neuport, Dendermond, and the Castle of Ghent, which can in no sense be looked upon as a part of a barrier against France, but being the keys of the Netherlands towards Britain, must make the trade of your Majesty's subjects in those parts precarious; and whenever the States think fit, totally exclude them from it. The pretended necessity of putting those places into the hands of the States-General in order to secure to them a communication with their Barrier, must appear vain and groundless; for the sovereignty of the Low Countries being not to remain to an enemy, but to a friend and an ally, that communication must be always secure and uninterrupted; besides, that in case of a rupture or an attack, the States have full liberty allowed them to take possession of all the Spanish Netherlands, and therefore needed no particular stipulation for the towns above mentioned."

To understand the significance of all this, it is to be remembered that but for a few years had it been visible that Britain had taken the lead in the contest with Holland for superiority at sea, and the balance might yet turn. There were persons alive who had heard in London the guns of Admiral Van Tromp at Sheerness. It was, therefore, not without reasonable ground of apprehension that the Commons said, "so that if it should at any time happen—which your Commons are very unwilling to suppose—that they

should quarrel, even with your Majesty, the riches, strength, and advantageous situation of these countries may be made use of against yourself, without whose generous and powerful assistance they had never been conquered."¹

The representation is a fair and concise testimony to the state of public feeling throughout the country while victory after victory was hailed. The threatening power of France was broken by blow after blow, and the fear of "the Pretender" returning with a foreign army to fight a way for him back to the throne, had all passed off. The nation was prosperous. Financiers had become learned in the easiest ways of raising funds, and there was no disposition to inquire whether the resources of the country were overstretched, or whether our allies had borne their full share of the burden. It is only at the end that there come a few bitter words, sounding as if they had been added by a stranger hand after the document had been completed. "Upon these faithful informations and advices from your Commons, we assure ourselves your Majesty, in your great goodness to your people, will rescue them from those evils which the private councils of ill-designing men have exposed them to;" an imputation that all the world understood, yet not specific enough to entitle any one to take it up and repudiate it.

The royal answer was in harmony with the appeal, and, like it, conveyed an imputation not expressed; it was well understood in the use of the pronoun "this,"

¹ Representation of the Commons to the Queen on the War in Spain, the Barrier Treaty, and the State of the Nation.—Parl. Hist., vi. 1095 *et seq.*

in lauding the representation as "a farther instance of that dutiful affection to my service and concern for the public interest which this House of Commons has always shown. You may be assured that I will give such orders as shall effectually answer what you desire of me in every particular."¹

If in this great historical conference Britain was master of the situation—and even the sordid and plebeian Dutch held debate with, and in some measure dictated terms to, the mighty monarch who had utterly despised them—yet the French had the gratification and the advantage that always comes to them with a critical diplomatic conference. Not only the terms of the treaty when concluded, but the suggestions, discussions, and debates, if there were any, must be rendered in the language of France, for that had been fixed by absolute usage as the language of diplomacy.

After the fall of the Roman Empire, the Church retained the Latin as the language of Christianity and literature. Debased as it became, it was the symbol of universal homage to that ecclesiastical half of the old empire which was still alive and vigorous. The

¹ Ibid., 1106. Swift, in his *Journal to Stella*, says: "Feb. 20.—Sir Thomas Hanmer is chairman of the committee for drawing up a representation of the state of the nation to the queen, where all the wrong steps of the allies and the late ministry about the war will be mentioned. The secretary, I suppose, was helping him about it to-day. I believe it will be a pepperer."

"Feb. 21.—I was engaged at seven to go to Sir Thomas Hanmer, who desired I should see him at that hour. His business was that I should help him to draw up the representation, which I consented to do; but I do not know whether I shall succeed, for it is a little out of my way."—*Journal to Stella*. Such a document was pretty far out of his way, and his unmistakable hand is not to be traced in it, though it is printed in collected editions of his works.

many armed assemblages, drafted out of all the nations of Europe, from the Crusaders downwards, brought a Babylon of jargons to bear upon and modify the Latin into a *lingua Franca*, in which people foreign to each other might hold intercourse. By its employment in disputes and concords, and in many other important affairs of life, something of a precision of meaning was acquired by this uncouth jumble of tongues. It became the favourite language for the purpose of *la diplomatie*, applied chiefly to the records and writs of sovereign Courts and courts of law. In England, under the term Norman, it became the language of the Acts of Parliament and of the procedure in courts of justice. Even at the time of the present narrative it was the beloved of English lawyers, who lamented its gradual departure. They pleaded that, as measured by the common vernacular of Englishmen, it had a precision and distinctness as a language set sacredly apart for the promulgation of the law, the administration of justice, the definition of possessory rights, and, not least in importance, in the statecraft of diplomacy.

In the reign of Louis XIV., the renowned Academy, aided by a group of brilliant authors in all the higher walks of literature, gave a polish and rhetorical richness to this conglomerate of languages, at the same time improving rather than deteriorating its precision. Thus the French of Voltaire's day was unmatched by any other language in its capacity to announce with clearness and precision the purport of subtle definitions and distinctions. It accomplished this by coming under the rule of a logical grammar, so exact and imperative as to exclude all exceptional

admission of the ellipse or the popular idiom. These, it was justly remarked, might give power and richness to a language for native use; but not being interpreted by the rules of a scientific grammar, they could not prove their meaning to the stranger not accustomed to their colloquial use. That the world at large should transact its diplomatic business in the language of France, had in it a semblance of doing homage to that nation; and the haughty Court of King Louis did not discourage the inference. But on the other side, it might be said that France, having no national tongue, was reduced to the employment of the *lingua Franca*, the common property of the nations. Perhaps no other men did more to establish the employment of French as the language of diplomacy than Marlborough and Prince Eugene, the most formidable enemies of France.

For us the treaty was concluded on the 28th of April 1713, by our exchange of ratifications with France.¹

The leading items of this momentous treaty are, in the first place, that there is to be perpetual peace and affection between France and Britain,—a condition fortified by such eloquent protestations of attachment and denunciations of discord, that if words could do it, the end of all wars between the two nations had been reached and duly recorded. More material as a guaranty of peace was the distinctness of the acknowledgment of the succession to the throne of Britain, as adjusted by the Succession and Abjuration

¹ The fullest collection of documents about the treaty is 'Actes, Mémoires, et autres pièces authentiques concernant la Paix d'Utrecht.' 5 vols. Utrecht: 1714.

Acts. The Protestant line is indicated with the special distinctness of diplomatic French.¹ The exclusion of "the Pretender" must be as absolute an abjuration at Versailles as it was made at St Stephen's. It would be unfair to the touch of chivalry that lighted up the dark spirit of the most Christian king, were we to doubt that this was among the bitterest elements in his cup of humiliations. And when he engages to drive the representative of the Stewarts out of his dominions, there is something grotesque in the touch of French politeness announcing that the poor youth whose departure is described as spontaneous, should not be permitted to return to France.²

The stipulations that the crown of France and of Spain should never be permitted to alight on the same head were equally emphatic, but not of a nature to be so conclusive. Ere the King of France could question the parliamentary title of Queen Anne, something must have occurred in Britain opening the way to the attempt. There was a startling mortality in the

¹ On the death of the queen without issue, "en faveur de la sérénissime Princesse Sophie, Douairière du Brunswick-Hanover, et ses héritières dans la ligne protestante d'Hanover. Et afin que cette succession demeure ferme et stable, le Roy très chrétien reconnoist sincèrement et solennellement la dite succession à la royauté de la Grand Bretagne limite comme dessus, et déclare et promet en foy et parole du Roy, tant pour luy que pour ses héritiers et successeurs," &c.—Corps Universelle Diplomatique, viii. 340.

² "Le Roy très chrétien promet qui luy et ses successeurs et héritiers apporteront tous leurs soins pour empêcher, que la personne qui du vivant du Roy Jacques II. avoit pris le titre de Prince de Galles, et au décès du dit Roy celui du Roy du Grand Bretagne, et qui depuis peu est sorti volontairement du royaume de France pour demeurer ailleurs, ne puisse y rentrer, ni dans aucuns des provinces de ce royaume, en quelques tems ou sous quelque prétexte que se puisse être."—Ibid., 348.

royal family of France; and if there should come a time when there was but one representative of King Louis, whether the representative of the house of Bourbon would take all, would depend on whether it was strong enough to keep all. Doctrines of divine right had already been whispered of a kind conclusive against any treaty turning aside the legitimate heir of the crown of France. The great civilian, Bignon, had put the rules with scientific precision, that the heir of France does not mount the throne by law or custom, but is born to fill it.

The territories known as Hudson Bay having been occupied by the French, were restored, the French settlers being allowed to remove from the soil with all their movable property. St Christopher, Nova Scotia, and the neighbouring settlements beyond the border of Canada, were ceded to Britain, and our country claimed and obtained a territory in America, vast in extent, inheriting a curious history, as the territory of the Hudson Bay Company. France reserved for her citizens the privilege of fishing in certain limits, drying their fish, and preparing them for the market, with due provision against their permanently squatting, and especially against the building of fortresses. There was a beneficent provision that the French occupants of Canada should not molest "the five nations" of the Indians attached to the British interest in America, or any others that might follow their example in accepting British protection.

The trading eye of Britain selected some spots in the Mediterranean suited for the protection of their commerce, and in British possession at the conclusion

of the war. Among these, the most conspicuous was the great barren rock known as Gibraltar. This claim, destined to be memorable in the wars of later times, seems to have scarcely excited notice; and we have seen how lightly the great Rock and its defences were esteemed when it passed into our hands. It was an acquisition of a kind that carried with it scarcely a vestige of the wrongs to oppressed races, or the other calamities that follow concessions of territory, as the result of war. Its retention by the Power that holds it was, in fact, a blessing to the world, with no farther abatement than a slight cloud on the pompous pride of the Spaniard. It may be called a condition in the destiny of fortresses, that they must always fall to the hand strongest in war where they stand; so that, raised as they sometimes have been, by weak princes, as a security against oppressors, the strongest of the oppressors acquires and keeps the works for his own purposes. Gibraltar is naturally a sea-fort. It has fallen to the Power strongest at sea, and will, according to all previous experience, remain with this Power until our strength decays. If we have been ever watchful and stern in guarding our possession, we may fairly boast that no other State would have communicated its benefits, as a protected commercial port, so amply to the trading world at large. It was a converse of this acquisition that France had to level the fortifications of Dunkirk. This concession was extracted by tacit menaces. If the war continued, the great sea Power would take the fortifications—perhaps occupy them. Thus came to an end the nest of pirates, ever becoming more powerful and mischievous as the advance of British

and Dutch trade enhanced the stock-in-trade that enriched the privateer.

There remains one significant acquisition to Britain by the treaty—the contract called in Spanish the *Assiento*, being a privilege or monopoly for supplying the Spanish colonies in the western hemisphere with negro slaves. We may defer further notice of it until, towards the end of the reign, it took a shape destined to develop a strange eventful history.

There was much reproach laid on our part in the treaty for what was called “the desertion of the Catalans,”—of certain inhabitants of Catalonia, who were almost the only inhabitants of Spain who had adopted the cause of the Archduke. When King Philip was seated on his throne, the Catalans were rebels, supported in their rebellion by the presence of a hostile force. The remnant of the British army of Spain was in Catalonia, and when, in the autumn of 1712, this remnant embarked for Port Mahon, the Catalans maintained that they were treacherously deserted by those who had exacted from them allegiance to King Charles.

The “desertion of the Catalans” came under debate in the House of Lords on the 2d of April 1714, when the Lords Wharton and Sunderland represented that “the Crown of Great Britain, having drawn in the Catalans to declare for the house of Austria, and engaged to support them, those engagements ought to have been made good.” Bolingbroke answered, in defence of the Government, “that the queen had used all her endeavours to procure to the Catalans the enjoyment of their ancient liberties and privileges; but that, after all, the engagements

she had entered into subsisted no longer than while King Charles was in Spain, but that prince, having advanced to the imperial dignity, and having himself abandoned the Catalans, she could do no more than interpose her good offices in their behalf;" and the affair dropped out of notice in an assurance by the queen, in answer to an address from the Lords, "that at the time she concluded her peace with Spain she resolved to continue her interpositions, upon every occasion, for obtaining those liberties, and to prevent, if possible, the misfortunes to which that people were exposed by the conduct of those more nearly concerned to help them."¹

The war in Spain had, of course, a material influence on the conditions that made the Treaty of Utrecht practicable. Had we succeeded in making our position there stronger than it was, our strength would have been a serious embarrassment after the death of the Emperor had disqualified our candidate for the throne of Spain. Whether or not the pompous folly of the Archduke, by losing the happy moment for a march on Madrid, had been the predominant cause of such a result, it was true that his cause was rapidly becoming hopeless, and had been merely nominally supported by Britain down to the death of the Emperor, in the spirit that, having adopted a cause when such adoption may have encouraged our comrades in the venture, it would be, if not treacherous, at least indecorous, to abandon it because the tide had strongly set against it. The Spanish people were steadily adopting King Philip. And in Castile, the

¹ Tindal, iv. 347.

great heart of Spain, his cause was accepted with a loyal fanaticism peculiar to the hot temperament of the people. For a time no competent leader was at hand to concentrate the enthusiasm as it gathered: but now the great Duke of Berwick was advancing to meet with reinforcements such troops as King Philip could collect. The troops in Madrid, under Galway, were wasting under dissipation and disease, and were led out to a point of junction with Peterborough. Our old friend, his raillery unabated by a gloomy prospect, notes as he begins his march: "It is hard I should be thought mad among the rest. After the taking of Reguena, twenty horse might have gone to Madrid; and all the places were offering to acknowledge the king upon condition I would protect them from Miguelets and the thieves and rogues bred up under Basset." The reality of these hopes that had been may be doubted; but the adverse reality, whence he looked back on them, was doubtless real. "But now many thousand men were in arms to oppose our passing the river Xucar; and they broke down all the bridges, and flung up earth, and stockaded many passes, and have given us the most narrow and foolish marks of ill-will, and would have made it very uneasy for us to pass but for the drought, which had made many places fordable."¹

But a decisive battle was at hand. It was fought at Almanza, in the province of Mercia. There the allies were routed. This disaster, as we have seen, had not in it enough of the British element to be counted among our national humiliations. It might

¹ Cited by Lord Stanhope, from MS. War of the Succession, 205.

be for our country, indeed, to claim closer connection with the victorious side, since the commander was of English birth, his father having been James Stewart, the exiled king, and his mother a sister of Marlborough. We have seen this battle the object of a memorable parliamentary inquiry, with the result of adding a fresh touch of paradox to the motley career of Peterborough, in the discovery that the disaster might not have befallen had his sage and cautious counsel been adopted.¹

The war lingered on with inconclusive oscillations. Its chief peculiarity was the restlessness of the force on either side, and the sudden apparition of either of them in some spot far distant from its previous haunts, after it had apparently disappeared and almost been forgotten. The army of the allies, as they were still by courtesy called, in their wanderings carried their "King Charles" to Madrid in September of the year 1711. The absence of a military force gave him the opportunity for the visit; and the civil establishment of the Spanish monarch—or so much as remained of it—left the city open and deserted. The end, so far as the British contingent was engaged in the war, was a calamity, but not a humiliation. Stanhope, with troops numbering about 4000, had found his position in Spain gradually shifting from that of the ally of one of the parties in a stiffly contested war, to that of the commander of a trifling force in the middle of a hostile people. He was surprised and crushed. The commander who suffers in a surprise can scarcely clear himself absolutely from

¹ See above, vol. ii. p. 163, and vol. iii.

a charge of insufficient watchfulness and caution. But for Stanhope there was the mitigating excuse that he was surrounded by a hostile population who would give him no intelligence. In the small town of Brihuega, in New Castile, Stanhope's little force found itself surrounded by an army four times its strength, commanded by the illustrious Vendôme. The little force had no artillery; but as the town was surrounded by an old brick wall, they defended it fiercely until their ammunition was exhausted and the blazing town threatened to devour them. The general performed the only sad duty remaining to him when he surrendered with his party as prisoners of war, leaving, in the words following, a pleasant and generous testimony to the conduct of his little army: "I must do that justice to all the officers and men, that all was done by them which could be done, the horse and dragoons having taken their share of the business on foot. Should I ever, after this misfortune, be again intrusted with troops, I never desire to be served by better men than all showed themselves to be; and whatever other things I may have failed in through ignorance, I am truly conscious to myself that, in the condition we were reduced to, I could not do a better service to the queen than endeavour to preserve them by the only way that was left."¹

¹ Lord Mahon—War of the Succession, 337.

CHAPTER XVII.

Ireland.

DIFFERENCE IN THE RELATIONS TO ENGLAND OF SCOTLAND AND OF IRELAND—QUESTION OF INCLUDING IRELAND IN THE UNION OF 1707—THE EARLY CIVILISATION OF IRELAND—QUESTION OF SUSCEPTIBILITIES TO INCIPIENT CIVILISATION AND INABILITY TO ADVANCE—THE TRADE JEALOUSIES OF ENGLAND PROMPT OUTRAGES IN IRELAND—THE WOOLLEN TRADE PUT DOWN IN IRELAND, AND LINEN SUBSTITUTED—HOW THE PRIVILEGES FELL TO SCOTSMEN INSTEAD OF IRISHMEN—COMPARATIVE FERTILITY IN IRELAND AND BARRENNESS IN SCOTLAND—SUBSEQUENT REVERSAL OF THE CONDITIONS—PENAL LAWS IN IRELAND.

At the opening of our history, England and Scotland were separate, independent, sovereign States. The common sovereignty of Queen Anne did no more to unite them under one political nationality than the Revolution with King William did for the union of England with Holland. Scotland, as we have seen, was curiously reminded of her alienation and independence when she desired to participate, like Ireland, in the privileges of the English Navigation Act. Among the hardy speculations that have been ventilated by "original thinkers" in affairs of national history, one has been, that the War of Independence was a calamity to Scotland, never retrieved

until the Union. The natives of the country, all save the scanty population within the Highland line, were of the same northern Teutonic race as their English neighbours, with all the characteristics of the race more powerfully developed. If it happened to them to be beaten in battle, their free nature would have effectually struggled against absolute subjection. They would have imparted fresh blood and strength to the Saxon race for their contest with the Normans and the prerogative encroachments of their Norman king. Such ideas have not been popular, at the north end of our island at least, where there is little inclination to cast forth Bannockburn from the temple of fame as a glorious and blessed achievement.

In Ireland something like the same question has been opened in another fashion. There the blessings of conquest and annexation were completed; but it has been pleaded that the completion should have gone a step further, and accomplished absolute union. And an argument for such a conclusion seems even to rest on the incompatibilities of the races to co-operate in harmony for the industrial and political prosperity of both.

The eloquent historian of the reign of Queen Elizabeth notes, that in the session of the Irish Parliament of 1703, in the speech from the throne by the Duke of Ormond, who was Viceroy, "on the subject of which the minds of the hearers were most full—the social prospects of Ireland and the union of the three kingdoms—he was silent." A letter to Lord Nottingham, the Secretary of State for England, dated on the 4th of October, is cited to the

effect "that the Commons had sat that day to consider the state of the nation; and after some hours' sitting, and considering the many misfortunes the country lay under in point of trade and other circumstances, all the speakers concluded that they did, in most earnest manner, desire a union with England."¹ Further, in a letter from Sir Richard Cox, the Irish Chancellor, to Nottingham: "Your lordship will be pleased to consider that this country is inhabited by a people of several nations, interests, and religions; that all labour under great poverty, occasioned chiefly by the English Acts of Woollen Manufacture and Resumption; that if the few English here find themselves oppressed, they will return to their mother country, as many as are able, and the rest, prompted by indignation, necessity, or despair, will turn Scotch or Irish. There is no remedy so proper for both kingdoms as some sort of union which would enrich and strengthen England, and establish the English interest here and make it prosper; for in that case all the British would be good Englishmen. We do not capitulate. You may be your own carvers. It seems worthy of your serious thoughts to promote so good a work."²

Then follows the historian's remarkable commentary. "The highest political capacity, though controlled by conscience and directed by the purest motives, may yet select a policy which, in the light of after-history, shall seem like madness. The 'event' may teach the inadequacy of the intellect to compass the problems which at times present themselves for solution. The 'event' alone will not

¹ The English in Ireland, i. 300.

² Ibid., 302, 303.

justify severe historical censure where a ruler has endeavoured seriously to do what, in the light of such knowledge as he possessed, appeared at the moment most equitable. But no such excuse can be pleaded for Queen Anne's ministers, or for the English nation, whose resolution they represented, in rejecting these overtures of the Irish Parliament. Opportunities occur in the affairs of nations which, if allowed to pass, return no more. The offered union was thrown away when it would have been accepted gratefully as the most precious boon which England could bestow—was thrown away in the meanest and basest spirit of commercial jealousy. No rational fear of present danger, no anxiety to prevent injustice, no honourable motive of any kind whatever, can be imagined as having influenced Lord Nottingham, or the persons, whoever they were, that were generally responsible for the decision. In fatal blindness they persuaded themselves that the union would make Ireland rich, and that England's interest was to keep her poor. The queen returned a cold reply, 'that she would give no particular answer at present, but would take the request into consideration.' The consideration never came. The wisdom of the precious resolution was never doubted or reviewed; and from this one act, as from a scorpion's egg, sprung a fresh and yet uncompleted cycle of disaffection, rebellion, and misery."¹

The present author is content to decorate the story he has to tell with these comments, uttered by a man of learning, judgment, and earnest purpose; and is inclined, on the whole, to avoid the responsibility either

¹ Ibid., 303, 304.

of adopting or attempting to refute them. In the union with Scotland, an affair small and simple as it seems in history compared with the project here described as an opportunity lost and a duty neglected, we have seen difficulties that might have made cautious or indolent statesmen pause on their brink. If, instead of merely harmonising two communities of the same race, but with incompatibilities in their political institutions, the project had been enlarged into a legislative union of the two great islands, it is possible to imagine forces brought into action so mighty and resistless as to have reduced to mere trifling impediments such difficulties as those that threatened a war between England and Scotland; at all events, the sweeping of Ireland into the project would have afforded a grand political spectacle in its day, and have left materials for a grand historical narrative. It has to be said, in the meantime, that there is ample excuse for speculations on what might have been the destiny of Ireland, since it is difficult to imagine that destiny more disastrous than it has been.

From the miserable present it has ever been the propensity of the Irish—or of those who took on themselves the function of thinking and speaking for the Irish—to look back to the happy and brilliant past. This solace has not been undisturbed by derision of the ridiculous and preposterous past that is called up for acceptance and admiration. We have seen how, when the French refugee was examining the history of our island, in pursuit of the ambitious project of cleansing and recasting it, the early accounts of all the three communities were corrupted by fabulous characteristics of each; and how, as the

whole affair resolved itself into a competition which nation would assert the boldest and the most picturesque falsehoods, the lying spirit of Ireland carried her annals through prodigies infinitely more wild and preposterous than those of her more sedate neighbours.

Such a feat disinclined searchers after truth to listen to aught that went to establish the vestiges of an ancient civilisation in Ireland. Great ethnological theories are dangerous indulgences in the mere historian, who has to verify his narrative of facts. Yet it is scarcely possible to avoid a sense that the facts themselves here leave a general conclusion that the Celt of Ireland has shown himself more readily susceptible to the influence of civilisation than the Teutonic races of England and Scotland, but less capable of nourishing and maturing the gift. The skirts of the civilisation of the great Roman Empire seemed to linger there as if it found a refuge in that Western isle at the back of Europe, and beyond the disturbing influence of the forces that were breaking up the Empire.

These "Scoti," as the Irish people were then called, thus afforded a refuge to those who fled from the powers of destruction, busy among the people who belonged to the Christian Church and used the Latin language. It has recently been the worthy task of Dr Reeves and other Irish scholars, to carry a flood of light into this early migration of the Christian world, so that the extent and character of its isolated civilisation is now clear to any one who will undergo the drudgery of studying it. It was a peculiar civilisation, both in what it carried with it and left behind. It took straight to Ireland the Latin language,

with some fragments of classic literature, and it afforded the means of inventing for the Celtic language of the Irish people, an alphabet founded on that used in remnants of Roman manuscripts. It did not carry immediately to Ireland the method of building among the Romans, and there is a natural cause for the one gift going unattended by the other, since architecture is not an art likely to be carried with them by fugitives before the face of an enemy. The Gothic, in its subsequent advance over Europe, found its way to Ireland; but old Irish buildings are curious in showing how the endowments of civilisation had enabled some clever mechanics to invent substitutes for the arch, in overlapping stones and small rude domes. An invention such as the arch testifies to a discovery made by a man of inventive genius, and presented to the world he lives in; but there may be great civilisation where such an invention has not yet come forth, as there had been great civilisation before the development of the powers of steam and electricity. There are examples of high art even in architecture, where yet the structure of the arch was unknown—examples far more illustrious than that of early Ireland—as, for instance, Egypt, Syria, and Greece.

Wherever they may have found it, these early Irish encouraged a school of art in form and the adjustment of colours; the form limited to carving and sculpture, and both put at the service of the painter or illuminator. From Ireland, ecclesiastics full of the learning of the age spread over the continent of Europe, and marked their progress by the establishment of religious houses—as at St Gall and Ratisbon.

They brought with them their peculiar school of decorative art, applying it to sculpture, to illumination, and to the binding of books—the books being missals or other works of devotion, illuminated with colours and gold in the Irish style of decoration; while the binding was in reality the shrine—often enriched with jewels—that was to protect the book within as the relic of some holy man. German critics and antiquaries have recently excavated from the obscure recesses of old libraries some brilliant specimens of these works of Irish art, and have commented on them at large. In the first place, they are admitted to represent a separate school of art; and the peculiarity that is found to individualise that school is developed in symmetrical reticulation, rich and profuse both in form and colour, but strictly restrained from chaotic irregularities by subjection to geometric rule.

If here we have wandered somewhat from the condition of Ireland at the period of the union of England and Scotland, the excuse offered is the desire to impress the fact that, among the ancestors of the unhappy race of our period there was at one time a civilisation taking a high place among such types of civilisation as existed at the same period in the other countries of Europe; and that, however much fiction and folly may have done to throw discredit on boastful assertions about the ancient lustre and glory of Ireland, the existence of a highly developed school of art, having its origin among the people of that island, is a fact known to the prosaic plodders in the origin and destinies of nations.¹ Nor is it all a tale

¹ The type of symmetrical geometrical decoration that had its cradle in Ireland, spread through Scotland, where in many sculptured stone

of a past race, over whose destiny the career of other races has rolled, burying their monuments beneath the soil, like those excavated in Egypt and Nineveh. The civilisation lived on, mingling its literature and its art with that of the rest of the world. The Round Towers of Ireland, conspicuous in their structure and size, have been rendered still more conspicuous by a wild literature that has carried them into the regions of horrible heathen rites, superstitions, and vices. But they present the details of the Gothic or Norman architecture of the eleventh century, and are merely to be held as an eccentric type of ecclesiastical architecture, raised under some peculiar influence that has as yet escaped discovery.

Having thus dropped a word to show that the Irish were not always so abject among nations as they

monuments it is more amply exemplified even than in Ireland, as the two richly decorated folio volumes contributed to the Spalding Club by the late Dr John Stuart, afford ample testimony. I think it is to be regretted that, when so much has been done for the archæology of the school of art that had arisen in Ireland and spread to Scotland, so little has been done to spread a knowledge of the character and the prevailing forms of that art itself. Here commerce has stepped in where the scholarship of art has been negligent. The tourist in Scotland can purchase articles of jewellery representing the peculiarities of the Irish tracery—generally in the form of the typical cross of Scripture; but there is no book where the forms of this class of art are critically examined as those of a separate school, and classified according to their variations. This recalls sad recollections of two men with whom I often discussed the question, why there should be so serious a blank in our artistic literature; and I was not without the hope that they might co-operate in filling that blank. The one was the author already referred to—Dr John Stuart—who could have drawn on his vast resources in archæology; the other was James Drummond, an artist, whose failing health belied the promise given in early life of his great painting of the Porteous Mob; and the hope of a treatise that might have been a boon to literature disappeared when both were, within a short period the one of the other, placed under the sod.

became—that there were among them scholars and artists when scholarship and art were rare, and that they were not in these accomplishments the mere slavish imitators of others—it would be justly counted a serious aggravation of a culpable ramble from the purpose on hand, should an attempt be made to trace the historical and political conditions that, between the mission of St Columba and the reign of Queen Anne, made the Irish peasant the being alike abject and dangerous that he had become. It is, however, not alien to our period to notice a peculiarity conspicuous among Irish causes and effects by its absence from our period. We do not hear much of starvation within it; yet Ireland was not, for its extent, affluent in the means of subsistence. Why should Ireland have been comfortable as to food and clothing early in the eighteenth century, when we know that in later periods of that century—in other periods down to the present generation—with vastly increased produce, the inhabitants starved in millions?¹

¹ In what Swift calls "The description of an Irish Feast, translated almost literally out of the original Irish," we have a lively picture of rude but abundant hospitality:—

"O'Rourke's noble fare
Will ne'er be forgot,
By those who were there
Or those who were not.

His revels to keep,—
We sup and we dine
On seven-score sheep,
Fat bullocks, and swine.

Usquebah to our feast
In pails was brought up;—
A hundred at least,
And a madder our cup.
.
Come, harper strike up;
But first, by your favour,

Boy, give us a cup,—
Ah! this hath some savour.
.
Bring straw for our bed—
Shake it down to the feet;
Then over us spread
The winnowing-sheet.

To show I don't flinch,
Fill the bowl up again,
Then give us a pinch
Of your sneezing O'Yean.

Good Lord, what a sight,
After all their good cheer,
For people to fight
In the midst of their beer!"

A strengthening of the laws for the protection of life and property, acting with improved habits promotive of health and longevity, if they come as an uncontaminated blessing to a people naturally industrious and enterprising, may increase the population of the country they live in, while the means of supporting that population increase in a ratio so much more rapid, that the enlarged population is better supported than the smaller number in a previous generation. It was among the homely precepts of the late William Cobbett in dealing with panics about over-population, to remember that each mouth came into the world attended by two hands.

We have seen the influence—the political dynamics it might be termed—of the superstitions of the day about the nature and properties of trade, in the contests that ended in the union with Scotland. All the influences of disturbance in the island of Great Britain when they happen to touch Ireland, grow in size and picturesqueness, as if they had found the proper soil for the rearing of fallacies and follies. The notion that a nation to make itself rich must render its neighbour poor, achieved a brilliant success. The woollen manufacture—especially in the most sublime of its woven results, the broadcloth—was agitating the trading community of England. It had grown to be a great institution worthy of the most tender and skilful treatment by the statesmen of the age. If they acted rightly by it in applying the resources at their disposal for fostering the trade where it should be fostered, and discouraging or ruining it where such a course was justifiable and proper, the riches, power, and influence of Queen Anne's empire would be en-

hanced. If there were carelessness or blunder in the culture of the growing source of national wealth, the disaster, and the reproach on those who had caused it, would be great.

People were beginning to look beyond Salisbury Plain and the other cultivated meadows of England for the growth of wool. The sheep, a hardy animal, could find food on the wild hills of Scotland and Ireland. So far as Scotland was concerned, before the Union England could do nothing but protect herself from intrusion and rivalry by her own laws. When the powers at work in forcing on the Union broke through the trading barriers raised by England, there was nothing for it but submission, as to an unavoidable and irretrievable calamity. But in Ireland there was opportunity for judicious and resolute action to crush any possible competition with the woollen trade of England. Nay, further, there arose the brilliant idea that, by just and firm legislation, the wool-growing capacities of Ireland might be made subservient to the woollen trade of England. The method of accomplishing this end gradually evolved itself into distinctness, taking the shape of encouraging the growth of wool in Ireland and its transference to England, while, at the same time, the exportation of wool and woollen fabrics from Ireland to foreign countries must be suppressed.

To effect this, in the last year of the seventeenth century an Act was passed prohibiting the exportation to any foreign country of any "wool, woolfells, shontlings, mortlings, woolflocks, worsted bay, or wool yarns, cloth, serge bays, kerseys, says, friezes, druggets, cloth serges, shalons, or any other drapery stuffs or

woollen manufactures whatsoever, made up or mixed with wool or woolflocks." The punishment for defiance of the prohibition was not only the forfeiture of the goods if they were seized in the attempt to export them, but a penalty of £500 against the exporter. Farther, the ship employed in committing the crime was to be forfeited "with all her tackle; and the master and mariners thereof, or any carriers, waggoners, boatmen, or other persons whatsoever, knowing such offence, and wittingly aiding and assisting therein," was liable to forfeit £40; "one moiety to him or them who shall sue by bill for the same in any of his Majesty's Courts of Record in England or Ireland, and the other moiety to the encouragement and setting up of the linen manufactures in Ireland, to be disposed of by the Court of Exchequer in Ireland for that use only."¹

This was but a portion of a complex ganglion of legislation to protect the English woollen manufacture, especially on the side of Ireland. Whatever precautions fortified by penalties are enacted, require frequent recasting in further legislation; and it is impossible not to believe in the strength of the temptations that must have given their influence to break through the complex precautions against Ireland's participation in the woollen manufacture and trade. Part of the fleet was always cruising along the Irish coast, especially the line opposite to Scotland. Ships were cleared out to convey the raw material to England, but it must have been discovered that in many instances they changed their course, if we are to believe that the amending Acts standing on the

¹ 10 & 11 Will. III. c. 10.

statute-book were required. It was made a condition of permitting a vessel to sail with wool, avowedly to England, that bond should be given for its actual delivery there. To make this bond serviceable it was necessary to adjust ports of exportation from Ireland and of landing in England, and at every such port on either side a staff of officers was appointed. There were officers for watching the wool on its way from the hills where it was shorn, to its proper place of departure from Ireland; and the prerogative powers for seizure of goods and the detention of persons under suspicion of intention to smuggle them into foreign countries, were very extensive and must have been very vexatious.

We shall see that the penal acts for the regulation of religion in Ireland were passed by the Irish Parliament. The Protestant landed proprietors of The Pale could be safely trusted with the correction of their Popish neighbours and natural enemies. It was not perhaps so clear that dependence could be placed on them for the protection of the English woollen manufacture, at the sacrifice of the produce of their own sheep-walks; and hence the complex legislation on the wool trade, beginning with the reign of King William, and passing into the reign of Queen Anne, was the work of the English Parliament. It must have been a measure extremely offensive to the Irish gentry; and thence perhaps it is that we find the chief statute decorated with an applauding or exculpatory preamble of more than average parliamentary eloquence: "Forasmuch as wool, and the woollen manufacture of cloth, serge bays, kerseys, and other stuffs, made or mixed with wool, are the greatest and most profitable

commodities of this kingdom, on which the value of lands and the trade of the nation do chiefly depend; and whereas great quantities of the like manufactures have of late been made, and are daily increasing in the kingdom of Ireland and in the English plantations in America, and are exported from thence to foreign markets heretofore supplied from England, which will inevitably sink the value of lands and tend to the ruin of this trade and the woollen manufactures of this realm; for the prevention thereof and for the encouragement of the woollen manufactures within this realm, be it enacted," &c.

This Act is in some respects a curious constitutional study as the extent of the sovereignty claimed by England over Ireland, and of the method necessary for obviating or detecting evasions of such claims on the side of Ireland. There is a special clause that an offender may be seized in any part of England as well as in Ireland, and a specific jurisdiction is given to the courts of law at Westminster for the solving of all difficulties and the rectification of irregularities. These powers would step in were there any carelessness or hesitation in giving effect to the Act on the part of the Irish official people. At the same time, to leave any failure inexcusable, "The lord-lieutenant, lord-deputy, or lords justices for the time being, or any of them, are hereby required to give direction in council that this Act shall be given in charge by the several judges of the kingdom of Ireland at all the assizes that shall be held in that kingdom, to the end that this Act may be strictly put in execution, according to the true intent and meaning thereof; which said judges are hereby empowered and required,

from time to time, to take particular accounts throughout their respective circuits of the due execution of this Act, and at their return to Dublin at the end of every circuit, shall acquaint the lord-lieutenant, lord-deputy, or lords justices of that kingdom for the time being in council, with all accounts or informations they shall have so received of any breach of the said Act, or negligence or faults in any of the officers to whom the execution of this Act is committed, to the end that the said chief governors, or any of them, for the time being, may be the better informed and enabled to look to and provide for the strict and punctual observation of this Act throughout that kingdom; of which the said chief governors, or any of them, for the time being, shall, once every year, lay a particular account in writing, under his or their hands, before the king, his heirs and successors, in council."

At the conclusion of this attempt to afford a distinct account of one of the aggressive and cruel acts perpetrated under one of the frenzies of the English trade superstitions of the age, it becomes a pleasant task to repeat the words applied to it by an English gentleman of our own period. "Had these purblind commercial politicians known what belonged to their peace, they would have welcomed the development of Irish industry as a better guarantee against future trouble than a hundred Acts of Parliament. No spirit could have more effectually killed the genius of Popery and Jacobitism, or could more surely have provided that Ireland should never again be a burden to the English Exchequer, than the growth of trade and manufacture there. The practical intelligence,

the fixed and orderly habits, the class of persons who would have been attracted over to make their homes where land was cheap, and waited only for labour and capital to be as rich and fair as their own English counties—these things would have forged the links of an invisible chain, which could never have been broken, to bind the two islands into one. Traders' eyes, unfortunately, can never look beyond the next year's balance-sheet. They saw their artisans emigrating. They saw, or thought they saw, the produce of the Irish looms competing with theirs in the home market, in the colonies, and on the Continent. They imagined their business stolen from them, their towns depopulated, the value of their lands decreased, their country itself plunged at last into ruin, all for the sake of that miserable spot which had been a thorn in England's side for centuries."¹ This touches the point that Acts of so ungenerous a kind have their impulse more from terror than from tyranny. The English merchant has been sketched by a thoroughly English poet, as

"An honest man, close-buttoned to the chin,
Broadcloth without—and a warm heart within."

Even in this instance we may find that the warmth of heart is not extinguished by the broadcloth; and taking our parable from transactions among individual dealers, we can find a way to show how it acts. We take the sensations of a dealer who has by honesty, civility, and skill, all expended on a well-selected trade, been marching securely on to fortune

¹ Froude — *The English in Ireland in the Eighteenth Century*, i. 264.

when an interloper appears beside him to share in his fortunes. Why should the stranger interfere? Why not let him who has had the skill to select a paying concern reap the fruit of his fortunate application of that skill?

The intruder's defence is that the market is free to all. A man must live, though his living may abate something from the superfluity of his neighbour. But then, on the other side, comes a suggestion that another sphere of enterprise might be made available; and in fact, the dealer, desiring to retain his monopoly, can suggest to the intruder "a good thing" in another line of business, where he is free to enter undisturbed and prosper as he may.

So England had found the proper field for Irish enterprise. It was to be in the linen manufacture. If Ireland did not see this to be her sphere of enterprise, England would teach her how it was so; and if the teaching were insufficient to accomplish its object, then England would, by a mixture of bribery and force, make Ireland the great emporium of the linen manufacture, and enrich her in spite of her idleness and ignorance of her own resources and proper duties.

Founded upon the real or supposed aptness of the country for the cultivation of flax, legislation had in some measure prepared the way for rendering linen the staple national manufacture. Industries were wanted for giving effect to the Irish vagrant law, by establishing industrial institutions where the idle paupers, so abundant in that unhappy country, could be forced to work. So early as the time of Charles II., it was enacted that every rural landowner letting

any cottage to a peasant-occupant must let with it one acre of land, with the condition that the peasant-occupant shall sow one-eighth of an acre with hemp or flax. When there was failure in obedience to this law of the Irish Parliament, the landlord forfeited forty and the tenant twenty shillings.¹ On larger holdings the proprietor or tenant, for every thirty acres cultivated by him, was bound to apply half an acre to the raising of flax or hemp; and so in proportion for any larger or smaller holding. The flax or hemp was not to be woven according to the agriculturist's fancy, or that of any other person. A paternal Government ordained that no linen cloth should be woven within the bounds of Ireland which was not at least three-quarters of a yard in breadth out of the loom; and heavy penalties were imposed when linen within the statutory breadth was offered for sale.

By one of the curious fatalities that accompany Irish measures of legislation, and turn their effect and influence into a channel away from, if not in the opposite direction of, the design, the Act for promoting the linen manufactory gave nearly all its beneficence to Scotsmen. Scotland was steeped in poverty, and had been so for half a century. The Union had not yet performed its beneficent work in opening new fields of enterprise to a people eager to work in them. The lowland inhabitants of the northern counties, finding nothing better to be done at home than the cultivation of their own stubborn stony soil, would have lapsed into the position of a surplus population had they not relieved their numbers by emigration to Nova Scotia and the north of Ireland. The natives

¹ 17 & 18 Charles II. c. 9.

of the counties of Aberdeen and Perth became known to their fellow-countrymen of the more fertile south of Scotland, as passing through to cross the narrow sea, thousands sometimes passing in one group. An observer of their motions, who thought even the southern districts of Scotland barren, said of the place of their destination, "from Belfast to Linsley Garron is about seven miles, and is a paradise to any part of Scotland."¹

It was for the children of the earliest of these wanderers, and of others who continued to join them, that the monopoly of the linen industry became a blessing. We have seen how in England French refugees founded large centres of industry for the creation of textile fabrics; and one of them, named Louis Crommelin communicated the secrets of his mystery to those who would learn and use it in Ireland. Among the Treasury papers collected by Godolphin one is a copy of a "sign-manual as to carrying on a linen manufactory in Ireland; £10,000 had to be advanced by Lewis Crommelin. Looms had been erected valued at £30 each, and other looms called *estilles*, valued at £50, for making fine linen in imitation of that of France and Holland. The patent for the encouragement thereof having expired by the death of the king, the queen's pleasure was that fresh letters should pass to encourage the same."²

Further, from the same source we have what follows:—

¹ Sir William Brereton's Travels, 118.

² Calendar of State Papers, 1702-7, preserved in her Majesty's Public Record Office, prepared by Joseph Redington, Esq.; lxxxiii., No. 104.

Letter from the Lords Justices of Ireland to the Duke of Ormond :

"They had considered the vast advantage that had lately arisen to that kingdom by the advancement of the linen manufacture in the north, which was of no manner of consequence seven years before, but by the endeavours of Mr Lewis Crommelin was brought to great perfection. Before he was engaged, what linen cloth was made in the kingdom was wrought in the north, where the inhabitants were most inclined to that manufacture ; yet it could never have been advanced as it then was but by the endeavours of Mr Crommelin, or some such skilful undertaker, because the inhabitants in the north were entirely ignorant of the art of managing and working flax, spinning the yarn, and whitening the cloth; and were absolute strangers to the looms and other utensils necessary for that work ; yet he had made them perfectly masters of the whole art and mystery, insomuch that, from cloth of 1s. and 1s. 3d. a yard, which was generally the finest made in the country, he had brought them to make linen to that fineness to be worth 8s. and 9s. the English yard. As this was only done in the north, and the knowledge of this art and mystery was communicated to a people generally Scotch and of that extraction, they would most certainly engross that manufacture to themselves, and never suffer it to come out of that country. They [the Lords Justices] offer it to his Grace's consideration, whether it would not be of the greatest good and consequence to that kingdom if Mr Crommelin could be prevailed on to remove himself and family to the centre of the kingdom, and by settling a colony, and directing this

manufacture, it would not soon equally diffuse itself into the other three parts of the kingdom, which was then generally inhabited by English and those of that extraction.

"Mr Crommelin was willing to remove on sufficient encouragement, and doubted not to bring this manufacture to greater perfection in the south than in the north. Kilkenny, near the centre of the three provinces, he said, was a most proper place, as well for the goodness of the air as the water and soil." As this had to pass through the Treasury in London, there was a hint on "the great benefit England would receive" from the scheme, "in taking off many of the hands then employed in the woollen manufacture, which by that means would be so discouraged as to oblige that kingdom to import so much more of the woollen cloths" from England.¹

Again the lord lieutenant brings under the notice of Treasurer Godolphin how desirable it would be to remove Crommelin, and perhaps a part of his Scotch colony, who might show a good example to Kilkenny, as a centre to "diffuse" the manufacture of linen through Munster, Leinster, and Connaught.² But the blessing intended for Ireland in the linen industry remained with the Scots colonists in the north, who were at this time raising a monument to their prosperity in the Linen Hall that decorates Belfast. It appears, indeed, that the trading conscience of England was troubled with touches of remorse at having let Ireland acquire too much in the affair of the linen. In 1706 we find that the matter is again pressed by the lord lieutenant Ormond and others on

¹ Calendar of State Papers, xcvi. 51.

² Ibid., cii. 83.

Treasurer Godolphin, who looked into the affair with the light of "two letters from the Commissioners of Trade, touching the encouragement proposed for Mr Crommelin to remove into the south of Ireland, for the improvement of the linen manufacture in those parts; and as to their opinion whether, if Ireland should fall into the making of fine linen, as suggested in the representation, it would affect the trade of England; and if so, what restrictions might be necessary in any new grant for encouraging the linen manufacture in Ireland." English merchants were of opinion that the further encouragement of the manufacture of linen in Ireland "would prejudice the trade in England;" and, "on the whole," the Commissioners concurred in that view. The minute dealing with the matter is curious in the obscure circles of trade through which the sensitive keenness of the English merchants has unravelled the influences likely to be set in operation to their prejudice. "Trade and navigation seemed to be concerned in this manufacture of Irish linen." "Irish linen was exempted from duties on importation here and exportation to the plantations. It would in a great measure prevent the importation of broad Germany linens, damask, diaper, &c., from Hamburg, and of low-priced linen from Flanders and Holland, to the diminution of the customs and exportation of woollen manufactures of this kingdom, which were taken abroad in exchange for these sorts of linens. And—not to say anything of diverting the course of trade by sending linens directly from Germany to Portugal, and taking returns from thence in sugar, which was heretofore supplied through this kingdom—they were of opinion that any further encouragement or im-

provement of the manufacture of Irish linen would bear no proportion of advantage there, either to the loss of the customs or the decay of the woollen manufacture of this kingdom."¹

The Duke of Ormond having left for a time the functions of the viceroy in the hands of lords justices, these appealed to him urging "that the promotion of the linen manufacture, under the present great decay of trade, would in all probability be the only means to recover that poor sinking country from its miserable poverty; and they entreated his Grace to lay the matter before her Majesty, who delighted in doing all the good she could to all her subjects."

A new argument was brought up. It was not for "the mere Irish" that any boon was sought. The connection of them with any kind of industrial project was preposterous. But there were the English of The Pale. They referred to the implied engagements of the sovereign and the Parliament of England prompting the abandonment of the woollen manufacture and the adoption of the linen. The manufacture had been brought to great perfection in the north. "They thought that the English in the other three provinces, who were the only persons that lost the woollen manufacture—and who were reduced to a miserable condition—should then share in the linen trade."² Ormond again represented the matter to the Treasury, and a minute appears to have passed to the effect that some step should be taken to the extent of compensating any specific loss that Ireland may have sustained by the suppression of the

¹ Calendar of State Papers, xcix. 85, 4th Sept. 1706.

² Ibid., ci. 18, January 1706.

woollen manufacture, on the implied understanding that the English Parliament intended to balance the loss by the encouragement of the linen manufacture.¹ On the 10th of August 1707, there came before the Treasury a further application from Ormond as lord lieutenant, saying that he understood that a royal letter settling the matter had been drafted. A settlement had become more urgent than ever. Some French refugees had been encouraged to teach the secrets of weaving to the Irish; and "there was a further reason for the grant that the whole town of Lisburn, where the French colony was settled for carrying on the manufacture, was lately destroyed by an accidental fire, and they had not provided themselves with habitations in expectation of her Majesty's pleasure for their removal to Kilkenny."² Meanwhile a board of "Trustees for the Encouragement of Linen Manufacture in Ireland," had been created by royal warrant.³ This was considered a very important national institution, and to be appointed a trustee on the Linen Board became an object of ambition with the first men in Ireland.

Ministers in London were well aware of the poverty and misery of Ireland, a phenomenon familiar to statesmen in Whitehall by an almost chronic clamour. The following memorandum, from a local correspondent, survived among the loose papers in the Treasury to the present day :—

"DROGHEDA, 13th July 1705.

"The great scarcity of money that already is in this kingdom, and likely daily to increase, in regard

¹ Calendar of State Papers, 72. ² Ibid., cii. 83. ³ Ibid., xc. 23.

there is not trade to bring in money, and exchange is now so high between England and Ireland that it is much more advantage to send any sort of money from hence in Spain than to give the current exchange, which is 12 per cent. All our country commodities are very low, and scarcely money to be had for them at any rate. The money the public revenue brings in lies in the Exchequer, there being not now an army here to be paid out of it, so that it is said there is now near £100,000 lie there, which goes a great way in the current cash of this kingdom, and must occasion the scarcity of money; for while there was an army here, constantly paid, the money did circulate which now lies dead. Landlords do already find rents very hard to come by, and if they distrain, cattle are worth very little or nothing. He that was richly worth £200 in any sort of stock this time twelve months, cannot now be said to be worth £100, things are fallen so very low, and no prospect but of being much worse; so that in all probability this kingdom will very soon be as poor as any need desire it to be."¹

That a time had been when fertility in Ireland could be contrasted with barrenness in Scotland, is an antithesis so alien to existing conditions as to court a word of explanation. The soil of Scotland, though not fruitful, possesses fertilising elements, and they have been applied with skill and industry by accomplished agriculturists. It happened to the author, in the course of one of those autumn

¹ Brit. Mus. MSS.; this is signed, "Edw. Singleton," a name I have not met otherwise.

visits of scientific groups who from time to time enliven such a town as Edinburgh, to mix in a general conversation in a train making an excursion through East Lothian. The tenor of that conversation may perhaps be best epitomised by limiting it to a dialogue between a landed gentleman of Kerry and a Lothian farmer. The Kerry man finds himself in a land of agricultural miracles. He identifies the farmstead as elsewhere the cotton-mill is identified by the tall chimney of the steam-engine house. He sees the peasant in the fields employed, like a skilful engineer, in the guidance of machinery. He has passed wheat-fields clean and waving with a heavy crop, in size ten, twenty, thirty, possibly fifty, acres. He thinks sadly on the bogs of his own Kerry, and moralises on the capriciousness of fortune, and then he is assured that these fruitful fields were at one time bog and stone. He is further told that their metamorphosis is the doing of the tenants, who in general have extensive capital, and the landlord is often more thoroughly in the hands of his tenant than the tenant of his landlord. It is explained to him that the surface of Scotland, though not naturally fertile, has fertilising elements, and among these are the traps and other igneous rocks of what is called the later eruptive period; and that these, in combination with organic manures and certain chemical agents as stimulants, "warm the cold soil" as the farmer may put it. The Kerry man, in the illustrious Rock of Cashel, knows a specimen of this geological phenomenon near home, but had never associated it with fertilising qualities. How is the same metamorphosis to be accomplished in Kerry? This brings

the discussion to a climax, and he is told that, if by the waving of an enchanter's wand the people of Kerry and East Lothian could change places, half a century would behold Kerry smiling with waving corn, alternating with rich meadows and abundant potato-fields; while East Lothian would, as thoroughly as what has once been cultivated can cast off cultivation, have lapsed into the fungus-covered cabins, and the dirty patches of potato-ground, where the ragged peasant works with no better tool than a broken spade.

Our period is sometimes called the special period of the Irish penal laws against the adherents of the Church of Rome. In estimating the character of that offensive code, it is necessary to look to the Treaty of Limerick. In this duty also there is little satisfaction; for few events give so much opportunity—and to some people temptation—for lubricity in argument. That the treaty was broken is one of the most specific and conspicuous facts in all history—the difficulty is, who were the breakers? That is to say, those who, having made the treaty, broke it? If a besieged garrison treat with the officer in command, and he accepts the condition that the garrison are to march out in military order with their accoutrements and weapons, their flags flying and their drums beating,—the treaty is broken, not only if the retreating garrison be fired at or caught and imprisoned, but if any soldiers in the besieging army are permitted to offer injury or insult to them. In such a supposition, however, there is one master over all—the commander of the besieging force, whose terms bind his sovereign, and whatever controlling

forces there are over the sovereign's army. But here came the question, of the obligation on persons who had no part in the treaty, and were not controllable by those who had a part.

This distinction has been casually but effectively marked by the practice of dividing the Treaty of Limerick into two parts—the military part, and the civil or political. It is generally admitted that the military part was scrupulously observed. For the accomplishment of the other part, King William showed zealous activity, leaving only the question whether, at the risk of the renewal of civil war, he should have followed a more determined policy for the observance of the treaty. Then behind all this comes the question, Should the besiegers have granted terms which they knew that they were unable to enforce on those to whom it fell to keep these terms? And the reasoning in a circle is completed, when it is seen that the garrison of Limerick knew as well as the besiegers that these had no power to enforce the terms, and that it was in the unscrupulous nature of a powerful enemy to treat them as waste paper.

The keynote of the stipulations was simply civil toleration to the professors of the religion of the Church of Rome. Of the penal laws so often denounced as a violation of these stipulations, a portion were in the statute-book at the beginning of our period, and others were added ere it came to an end. Among the former was an adjustment that completed the "Protestant ascendancy" in the Irish Parliament—an oath devised as a qualification for members, denouncing Transubstantiation and the Invocation of the Virgin or the Saints in the Calendar, and the

Adoration of the Mass. Among other provisions designed for the promotion of ascendancy beyond the Parliament itself, there was the mysterious English offence of *præmunire* incurred by all persons accessory to giving effect to the jurisdiction of the Bishop of Rome. Those who acknowledged that jurisdiction were prohibited, so long as they persisted in maintaining it, from acting as tutors in families. There was a pretence of a ratification of the Treaty of Limerick.¹ In a spirit thoroughly Irish, the articles were confirmed in the sense following, and not otherwise,—and that sense was, "that the garrison of Limerick, and all who had been in arms as opponents of the existing Government, should possess such rights as the law gave them at the time of the surrender of Limerick."

In the year 1703 the Irish Parliament passed the renowned measure "for discouraging the further growth of Popery." The father who was of the denounced creed was not to be the guardian of his children; and if any of them professed conversion to the Protestant faith, they were to be removed from his custody, and delivered to the nearest relation professing the Protestant faith. Lest a child might dread being disinherited by an indignant father if he turned Protestant, the father was disqualified from changing the legal line of succession, or doing aught that might have a tendency to reduce the value of the estate passing to his converted heir. The Papist could not be a purchaser of real or landed property; nor could he be a tenant under a leasehold extending above thirty years; and he could not succeed to an

¹ 9 Will. III., sess. 1, c. 27.

estate held by a Protestant relation. When there was no Protestant heir to an estate, it was to be divided among the children, or nearest group of kindred of whom the eldest would have succeeded to the whole by ordinary hereditary right. It was illegal for the Popish father to send his son abroad to be educated to his own religion; and the oath of abjuration and the test were rendered essential as qualification for office or voting at elections.

In 1709 some imperfections in the all-sufficiency of the family arrangements for encouraging converts were discovered, and it was provided that the Popish father must support, out of any estate he has, the converted child; and lest he should plead poverty, and attempt to evade the obligation, there were forms of inquiry in Chancery for the discovery of any estate belonging to him, and ascertaining its value. There was already an Act requiring Romish priests to be registered; and in 1709, methods of inquest, with rewards to informers, were enacted for hunting out the unregistered.

The Popish penal statutes are palpably and offensively visible in the Irish statute-book, and they have been uttered trumpet-tongued to the world by many commentators. Yet a strange mystery hangs over the questions, What became of them? How far were they put in force? It was eloquently and justly said by a looker-on, as the penal laws were coming one by one into existence: "It is natural for the father to love the child; but we all know that children are but too apt and subject, without any such liberty as this bill gives, to slight and neglect their duty to their parents; and surely such an Act as this will not

be an instrument of restraint, but rather encourage them more to it. It is but too common for the son when he has a prospect of an estate—when he arrives at the age of one-and-twenty—to think the old father too much in the way between him and it; but how much more will he be subject to it, when by this Act he shall have liberty, before he comes to that age, to compel and force my estate from me, without asking my leave, or being liable to account with me for it, or out of his share thereof, to a moiety of the debts, portions, or other encumbrances with which the estate might have been charged before the passing of this Act? Is not this against the laws of God and man?—against the rules of reason and justice by which all men ought to be governed? Is not this the best way in the world to make children undutiful, and to bring the grey head of the parent to grief and tears?"¹

But where were the instances of parents suffering from unnatural children?—of the young rakes that, having ruined themselves by gambling and racing, could extort by a false profession of conversion the estate that the father had destined for worthier offspring? The historians of the penal period, ardently desirous of presenting all its horrors to their readers, have somehow missed the opportunity, if they had it, of increasing our horror of the statute-book by instances of cruelty in the practical application of the cruel laws. This is all the more remarkable, as much has been said about an infamous wretch named

¹ Cited from a speech by one of the Butler family in "History of Ireland, from the Earliest Period to the Emancipation of the Catholics," ii. 203.

Garcia, not an Irish Orangeman, but a Portuguese Jew, who made money by lodging informations against priests for failure to register themselves.

Are the penal laws to be, so far as practice goes, ranked as of the kind of phenomenon peculiar to Ireland, where something rising before the horrified gaze of common men as a portentous spectre, is found, when realised, to be some very poor practical joke? It is scarcely possible to believe that they were never enforced; but if there was enforcement, where are its traces? What portion have they in that ghastly and brilliant metaphor that Ireland is to be traced through history like the flight of a wounded man by a track of blood? It would be all the more desirable if we had some little knowledge of the practical enforcement of the penal laws, because then we could estimate the relative proportion, of persecution in Ireland to the bloody crusade against the Huguenots in France.

The whole question of the forces of bigotry and intolerance at work in Ireland at that time is further darkened into complexity by the position of the Dissenters or Nonconformists. It was not in Ireland as in England that these were thinly scattered over the country, and were almost always the minority—and a feeble minority—when considerable communities were tested. In the north, the Scots colony made a powerful and compact Presbyterian body, and it must have had its influence in at least dividing the forces armed against those inhabitants of the island who adhered to the Church of Rome. It is pretty certain that the High Churchman, who disliked his Romish neighbour for going further than himself in

the direction opposite to Low Church and Dissent, would not take the Presbyterian of Ulster into his confidence and alliance against the Romanist. There was one material point mixing with the other sources of difficulty in arraying the parties at variance with each other into hostile forces. The High Churchman did not admit that the Presbyterian was a Churchman, or that his minister was a clergyman. On the other hand, the High Churchman could not deny the pure apostolical descent of the old Church, because it was identical with the earlier portion of his own spiritual genealogy; and at the same time, however secure he might feel in the latter portion of the pedigree, he could not prevent the priest from maintaining it to be tainted. On the whole, there do not appear to have been in Ireland many people persecuted during the period we are dealing with, for all the bitterness of the penal code. No doubt the potent pliancy of their Church in neutralising offences, especially those committed against itself, went far in mitigating their liability to the law, by countenancing all external symbols of compliance, and exercising its power of absolution for sins whether against morals or only against the statute law. But this will not in itself sufficiently account, for all the traces of popular disorganisation and individual hardship that must elsewhere have followed on such laws, being undiscoverable. If a further reason for this must be given on probability, it may be found in the controlling power of the English Government, holding aloof when hard words only were administered, but restraining when hatred was to be expressed in blows.

Our notices of the Irish Parliament and its position and duties would not be complete without a few words on a certain curious and picturesque class of Irish statutes—those for the extinction of “Tories, Robbers, and Rapparees.” How the name, applicable in its etymological origin to the Irish blackguard in his highest development of blackguardism and ruffianism, underwent the evolution that now renders it the fixed and accepted title of that party in the State which plumes itself on being the farthest removed of all parties from whatever is common and unclean, is one of the many mysteries in the perilous science of etymology. The three imputations, — tory, robber, and rapparee, are always used as synonymous; and the peculiarity of the legislation levied against the class is not so much that it punishes them for the acts done by them, as for belonging to the class. A man is proclaimed and pursued by the officers of justice, not for any crime that he has committed, but because he is a “tory.” For instance: “If any shall be presented at the assizes or quarter-sessions by the grand jury as a tory, rapparee, or robber, and the same being returned to the clerk of the council, the persons in the presentment named, shall, by proclamation from the lord-deputy, &c., and Council of this kingdom, be proclaimed; and if such person or persons do not render him or themselves, within the time therein limited, to some one or more justices of the peace of the county where such presentment shall be made, then he or they shall from thenceforth be convict of high treason and suffer accordingly; and that all and every person or persons concealing, aiding, abetting, or succouring them knowingly, from and after the time so limited

in such proclamation, shall be guilty of felony, without clergy, and suffer as felons convict, without clergy.”¹

The frenzy of terror and rage that could vent itself in a law so ferocious, seems to have obliterated for the time statutory manifestations of the hatred between the two religions, as conditions of common peril are said to bring quiescence and gentleness among wild beasts accustomed at other times to tear each other. When an outrage has been committed by any of the denounced class, and the offenders, “or the major part of them, shall not be killed, or apprehended and brought before some justice of peace or other magistrate, the respective grand juries of the several counties of the kingdom where such fact shall be committed, shall, at any assizes to be held in such county within one year after, present and charge upon the Papist or Protestant inhabitants thereof, proportionally, according as the number of such tories, robbers, or rapparees be Papists or reputed Papists, or Protestants, the sums following—that is to say, in case of murder not above £20, and for maiming not to exceed £10.”²

There was another curious object of Irish penal legislation—the “Cosharer.” He was one who carried to excess a weakness pretty well known throughout the civilised world, developing itself in a too great readiness to accept of hospitality, insomuch that it was sometimes accepted and taken where it had not been offered. The Irish Parliament reached a height of picturesqueness totally unapproached in the English statute-book in thus denouncing “coshery.” “None,

¹ 7 Will. III., sess. 1, c. 21.

² Ibid.

having no estates of their own, nor means of support from parents or kindred, shall walk up and down in the country with one or more greyhound or greyhounds, or otherwise shall cosher, or lodge, or cess themselves, their followers and greyhounds, upon the inhabitants of the country, or shall exact meat, or drink, or money from them, or shall crave any helps in such sort as the poor people dare not deny the same, for fear of some scandalous rhyme or song, or some worse inconvenience to be done"¹

Every minister of the Crown, on preparing a Bill to be converted into an Act of Parliament for the government of Ireland, had to consider the significant question whether it should be initiated in the Parliament of England or the Parliament of Ireland. If he carried it to St Stephen's, he was in the hands of both Houses. At several points his measure might not only be lost, but it might be altered indefinitely. In the Parliament of Ireland he knew what the advisers of the Crown could do. Under Poyning's Act, as old as the time of Henry VII., no measure could be opened in the Irish Parliament unless it had been examined and passed by the king in Council—that is, by the Privy Council of England. Whatever portion of the Act got the assent of the Council, either as it was laid before them or with amendments, was returned to Dublin Castle as the permission to the Irish Parliament to adopt it.

In matters of mere regulation, or the amendment of any defect in the enforcement of the law, the Privy Council would be content to act on a report of

¹ An Exact Abridgement of all the printed Irish Statutes now in force; by C. Foverton, Esq., Barrister-at-law: 1700.—P. 63.

the Attorney or Solicitor General for England; but where the measure rose to the dignity of State politics, a committee of august persons might be desired to transact the business. But the criterion of difference between matters of importance and of routine is involved in those uncertainties about the logic on which they rest, which so perplex the stranger dealing with Irish affairs. Thus, on the 10th of July 1710, certain Bills from Ireland are referred by the Council to a Committee containing, among other important persons, the Archbishop of Canterbury, the Duke of Marlborough, the Lord Chancellor, the Lord President, and the Lord Treasurer. The Bills receiving consideration so distinguished are—"For preventing the great expense, hazard, and trouble which tenants for lives are usually at in renewing their leases;" "For the better security of rents, and to prevent frauds committed by tenants;" "To prevent the maiming of cattle;" "For bringing an appeal in case of murder, notwithstanding the tenth of King Henry the Seventh, whereby murder is made high treason;" and there is a minute that the Committee are to consider petitions relating to the Bills, and hear the parties concerned.

Then, as to certain other measures, it is minuted: "The Bills hereunder minuted, lately transmitted from Ireland, in due form, to her Majesty, by the Lord Lieutenant and Council, were, by order of this Board, referred to Mr Attorney and Mr Solicitor General to peruse and consider the same, and to make their report thereupon." "And the said Bills, having been this day considered at the Board, with the following alterations and amendments proposed

by Mr Attorney and Mr Solicitor General," it is minuted as to each that "the Privy Council approve of the Bill with the alterations and amendments proposed by the Attorney-General and Solicitor-General, and direct the Bill to be delivered to the Clerk of the Crown, that it may pass the Great Seal." This course is taken with two Bills—the one "for suppressing blasphemy and profaneness," the other which became the renowned "Act to prevent the growth of Popery."

The form generally adopted in sending back a Bill from the English Privy Council to the Irish Parliament was: "It is this day ordered by her Majesty in Council, that the Right Honourable the Lord Keeper of the Great Seal of England attach the said seal to a Bill lately transmitted to her Majesty, in due form, out of Ireland, by the Lord Lieutenant and Council of that kingdom, which hath been approved of by her Majesty in Council here, with some amendments, intituled 'An Act for registering the Popish Clergy;' together with a commission to the Lord Lieutenant of Ireland empowering him to give her royal assent to the said Bill in the Parliament of Ireland in case the said Bill shall be agreed upon in the said Parliament."¹

A migration of foreigners to England produced much temporary excitement near London; but it had, long after it was forgotten there, a permanent influence on the national economy of Ireland. It was known as the affair of the Palatines. They were natives of several districts in southern Germany which had suffered from the cruel invasions of King

¹ Minutes, P. C. MS.

Louis; and they got their collective name because the bulk of them were supposed to have come from the Palatinate of the Rhine. We find them defined in a minute of the Privy Council issuing a proclamation enjoining a general collection to be made on behalf of "several thousand Germans of the Protestant religion, who, being oppressed and ruined by the great exactions of the French on the frontiers, and otherwise distressed upon account of their religion, have fled for refuge into this kingdom."¹ They seem to have been directed towards England by a gregarious influence, speaking in their misery of the wealth and kindness of the Protestant English. The French Huguenots had found an asylum there, and it might be open to the German victims of the great tyrant. Perhaps they knew also that Britain, excluded from the traditional mechanical trades and mysteries of the Continental nations, cultivated those who were adepts in them as welcome visitors. We learn that, in June 1709, "they were increased to 6520 men, women, and children, among whom were schoolmasters, husbandmen, vine-dressers, herdsmen, wheelwrights, smiths, weavers, carpenters, masons, bakers, coopers, brewers, and other handicraftsmen."²

The queen taking compassion on the poor wanderers, the humane example naturally spread. They were so destitute of preparation for planting themselves in a foreign land, that they were housed in tents taken from the military stores in the Tower and pitched on Blackheath and other open districts near London; and they were dependent on charity

¹ 29th June 1709; Minutes, P. C. MS.

² Rapin and Tindal, iv. 109.

for their daily bread. Their numbers increased rapidly and alarmingly, and their apparition was the immediate impulse to the repeal of the Act, mentioned elsewhere, for the naturalisation of foreign Protestants. A considerable body of these strangers seem to have been absorbed in England; but gangs of them were sent to the American colonies, and there was an emphatic removal of a portion of them to Ireland.

To plant starving people in a starving country may seem at first thought neither logical nor humane. But there was another serious misfortune not common to both — the Irish were idle, and, on the other hand, the Palatines were signally industrious. It may be noted, parenthetically, that this virtue had not so much influence in the project of planting them in Ireland as their religion had. They were Protestants; and seeing the difficulty ever felt by the British Government in ruling Ireland with its vast preponderance of a religion as disproportionately overbalanced in the other parts of the empire, there was a strong temptation to induce them permanently to reside in Ireland. The wanderers passed to the new home, where they were to be permanently domesticated, with a letter of introduction, in the shape of a minute of the Privy Council, issuing a proclamation "that the mayors, justices of peace, and other magistrates be aiding and assisting to them, so that they may be kindly entertained and civilly used in the several places on the road."¹ The arrangement was profitable at all hands. The great curse of Ireland

¹ 8th Aug. 1709; Minutes, P. C. MS.

was the disease of idleness, that left the resources of abundance ungathered. The frugal industrious Palatines, gradually by hard work acquiring available means, became, in their cultivated holdings, a peculiar people, living in frugal comfort in the unhappy land their misfortunes and not their misconduct had compelled them to inhabit.

CHAPTER XVIII.

London.

THE TWO GREAT CAPITALS OPPOSITE EACH OTHER — SECURITY FROM ATTACK — DIFFICULT NAVIGATION OF THE THAMES — QUEEN ELIZABETH'S LONDON, AND QUEEN ANNE'S — THE WALLS AND GATES — STREETS — THE ROW — REMNANTS OF ROMAN LONDON — THE TRAINED-BANDS — GOVERNMENT AND POLICE.

A GLANCE at the map of Europe will readily convince any one who looks at France and England and recalls their common history, that inevitably, through political forces acting on geographical conditions, London and Paris must have arisen where they now are. In times when, although there was little travelling by land there was still less by sea, a highway from Britain through Europe naturally took the Straits of Dover as the shortest sea-passage. This would create a seaport on either side of the Channel: and so we have Calais and Dover. But the vast commerce and intercourse for other purposes exchanged from either side would bring together in each country a centre of accumulation for population and wealth. If this had been in either instance on the sea-shore, the city so created must have been exposed to risk in time of war. In either case, therefore, without avowed design, but by the counter-pressure of facil-

ities and difficulties, a capital arose as near to the sea-shore as seemed to be consistent with safety to the citizens and the wealth accumulating within its walls. London, with the larger river, is especially unapproachable by water—though once in the course of history, the Dutch, who were then endeavouring to grasp the dominion of the ocean, made their cannon heard at Whitehall. The navigation of the Thames below the London docks is extremely capricious and difficult; and in times of panic about an invasion of the island, and a sacking of London, terrors have been appeased by those who knew what they were saying, assuring their friends that if the lighthouses, beacons, and buoys of the lower Thames were removed, the most skilful sailor in the world could not guide a fleet within cannon-shot of London.

There is a map of London as it stood in the reign of Queen Elizabeth in one of the many collections of maps and representations of towns and eminent buildings published by the Jansens of Amsterdam.¹ This

¹ 'Illustriorum principumque urbium septentrionalium Europæ Tabulæ. Amstelodami; ex officino Joannis Jansonii.' Of several copies of this work, I have never seen two with exactly the same in what they contain. Both the Elzevirs and Jansens seem to have had large collections of maps and architectural engravings, and to have selected out of them from time to time a parcel for publication. The title given above is in my own copy; but in it there is another title-page, later in date, and profusely decorated with figures, mythical and real—among the realities, a finely engraved full-length portrait of our King James and his favourite Buckingham. The title of this copy is, 'Theatrum præcipuarum urbium positarum ad septentrionalem Europæ Plagam,' yet the greater part of it is devoted to Italy. The method of rendering the edifices in these maps is signally useful and interesting for historical purposes, though it is not perhaps justified by canons either of art or geographical science. All the buildings are represented in a composite method of elevation and ground-plan. This enables one acquainted with the present state and the past history of any town to decide whether it is accurately represented by the artists who assisted

map is brought into our own period, by being re-engraved on a reduced scale for a book called 'A New View of London,' published in 1708.¹ The object of bringing the two maps together is to give significance to commentaries that invariably accompany comparisons of London past with London present at the time of the comparison, at whatever that time may be—the unprecedented rapidity of increase both in the enlargement of space and increase of population.

If we begin at the west end we find that the London of the older map ends at Whitehall opposite to the garden of Lambeth Palace. Whitehall is there, with large gardens attached to the buildings on either side, and where it expands, the Gothic Cross of Charing lifts its spire. Then at the turn by Somerset House, the Strand, like Whitehall, has gardens; and beyond these, on the north, are fields and woods till

the distinguished Dutch printers. Any one accustomed to wander inquiringly through London feels certain that the map in the collection is perfectly accurate. A few others in the same volume are compositions on imperfect data. This is signally conspicuous in the representation of 'Edenburgum—*vulgo* Edenburg.' The Castle, the High Street, Holyrood House, the City Wall, Arthur's Seat, and the Calton Hill are all there, but they are imaginary portraits.

¹ 'A New View of London; or, an ample account of that City, in two volumes, or eight sections: being a more particular description thereof than has hitherto been known to be published of any city in the world.' The particulars crowded together in the title-page, in small print, would fill some three pages of this book. It is distributed under eight heads:—

1. Containing the names of the streets, squares, lanes, markets, courts, &c.
2. Of the churches—their names, foundations, &c.
3. Of the several companies—their nature, halls, armorial ensigns, &c.
4. Of the queen's palaces, eminent houses, &c.
5. Colleges, libraries, museums, repositories of rarities, free schools, &c.
6. The hospitals, prisons, workhouses, houses of correction.
7. Of fountains, bridges, conduits, ferries, docks, keys, wharfs, &c.
8. An account of about ninety public statues, their situations, &c.

we reach Temple Bar. The wall beginning at the Blackfriars Stair turns with obtuse angles by the ports of the Aldgate, the Cripplegate, and the Moor-gate. The Aldgate is on the way to a considerable northern suburb—the Smithfield and Clerkenwell; and again at the Bishopsgate a street runs northward beyond the wall, making St Botolph's and Bishopsgate Street. The same line of street passes southward through the city, over Old London Bridge, to the Southwark, where the most conspicuous objects are two circular buildings like the Colosseum, the one called the Beare Bayting, and the other the Boull Bayting.

In the map of 1708, some open spaces to the eastward, where buildings stand in the older map, may be held to represent relics of the track of the great fire of 1666. The western extremity of the town is at the Tothill Fields, and on the other side of the Park at the Palace of St James's. At the Piccadilly side it stretches westward about as far as Clarges Street. At a street running east and west in the direction of Mount Street and Conduit Street, the town ends on the western side, and the country begins on the line of Regent Street, passing up to the "road to Oxford," with a few houses on either side of it; and northward "St Giles in the Fields" and "Cock and Pye Fields," where the road, making a twist southward, now represented by High Street and Broad Street, converts itself into High Holborn. The town extends northwards to Montagu House and Southampton House, and encloses Bloomsbury Square and Red Lion Square. Eastward the town recedes, Gray's Inn looking northward on open country; it extends again eastward

about as far as Warner Street, and then the boundary being about half-way between the "Charter House" and the "New River Pond," it passes eastward to Hoxton, and thence by an indented curve southwards includes Montagu Square at its eastern extremity, then retiring westward along the line of White-chapel, until close on the western side of Goodman's Fields, it takes the line of Lemon Street. The space between a line corresponding with Cable Street and Rosemary Lane on the north and the river on the south is occupied by the town enclosing open spaces. Above Wapping Stairs, where the London docks now are, a large open space is called "Garden grounds." The town then narrows itself towards Shadwell, and disappears at a short distance beyond Ratcliff, having between it and "the road to Harwich," the hamlet of Stepney and the "Hangman's Acre."

On the south side of the river there is a small hamlet beside Lambeth Palace, but the Surrey side of London is entered opposite to Whitehall. Thence it lines the river, and ends opposite to the termination of north London, its broadest stretch reaching and just passing the Church of St Mary Magdalen, Bermondsey.

In St James's Park, a lure island is called the "Decoy," being part of an arrangement that made the Park a preserve, organised for the sport of the fowler. Among the waters of London, Fleet Ditch, now hidden out of sight as something abominable, was, in 1708, conspicuous, and in some measure interesting. The author of the 'New View of London' says of it: "Fleet Ditch, so called," says Stow, "from the fleet or swift running of the water. It is

an extraordinary spacious stream, and indeed like two large streets as divided by the ditch—made for the more easy serving the parts of the town northly from the river with coals—between Thames Street and Holborn Bridge." So the stream seems to have been lined by a terrace on either side. Of the street getting its name of Fleet Street from crossing the stream, we are told that it is "a very public and spacious street of excellent buildings, the third and fourth rates of which fetch excellent rents; one house having been let near Temple Bar for £360 sterling per annum, and £1400 fine; and few or none under £40 or £50. . . . In this street are nineteen taverns, as many booksellers, and many linen-drapers. I find it recorded that one James Farr, a barber, who kept the coffee-house which is now the Rainbow by the Inner Temple gate, one of the first in England—was in the year 1657 prosecuted by the inquest of St Dunstan's-in-the-West, for making and selling a sort of liquor called coffee, as a great nuisance and prejudice to the neighbourhood, &c. And who would then have thought London would ever have had near three thousand such nuisances, and that coffee would have been—as now—so much drunk by the best of quality and physicians?"¹

That those who enjoy the pursuit of the pedigrees and adventures of streets and remarkable houses in London might probably find much satisfaction in the old book called 'A New View,' may have been seen in the passages just cited, as well as in what follows relating to Paternoster Row,—“A very considerable street between Cheapside, Conduit East, and Amen

¹ New View of London, i. 29.

Corner West." "This name, as well as those of Ave Maria Lane, Creed Lane, and Amen Corner, were, it is not improbable, given by reason of the religious houses, formerly of Black and Grey Friars, between which these streets are situated. Stow, I find, since my writing the above, says there lived here 'turners of beads—called paternoster-makers; as also stationers who wrote and sold books then in use—viz., A B C, with the Paternoster, Ave, Creed, Graces, &c., in the reign of Henry IV.'"¹ That a higher order of booksellers were creeping towards the Row is shown by "St Paul's Churchyard, a very spacious place, a little south-west from Cheapside. The north side is about 250 yards, mostly inhabited by eminent booksellers."² And here, again, we are at home in "West Smithfield, a spacious place containing about three acres, in form of an irregular polygon consisting of five unequal sides. Here is the greatest market for cattle—both white and black—and horses in England, kept every Monday and Friday; and another for hay and straw, kept every Tuesday, Thursday, and Saturday; and also a very great fair for cattle, beginning on St Bartholomew's Day; but that for toys and the diversion of drolls, rope-dancing, and strange creatures, last a fortnight. . . . Stow says it had its name from being 'a smooth field, where the king used to see jousts and tournaments; also a place where malefactors were often executed.'"³

In the map of 1708 there are no vestiges of the wall save Temple Bar, and another gate giving access through Holborn. Of Temple Bar, recently removed, though it is not to be commended as a work of high

¹ New View of London, i. 62.

² Ibid., 72.

³ Ibid., 87.

art, it is pleasant to know that its stones have been preserved, and are likely to be put together. Its long historical career, and its significance as the barrier and palladium of the free and powerful city, gave it a strong claim on the respect and affection of London citizens, and prompted them long to endure its inconvenience and danger. Perhaps the last memory associated with it may be its use in metaphor for expressing the limitation of the number of measures that can pass through a session of Parliament, from the number of omnibuses that can pass through Temple Bar. Among the oldest associations with it is its close vicinity to the small dark tavern of the Cock, where the laureate has sung on the same bin that supplied the wine to cheer Samuel Pepys, what time he heard the boom of the cannon of the Dutch fleet in the Medway.

The part of London that, both in its aspect and the purpose to which it was applied, has undergone the smallest amount of change since the days of Queen Anne, is perhaps Whitehall. The chief novelty there is the Horse Guards and the Government offices, with the view of the tower of Westminster Palace, the strange pensive chime of its bells, and the great sheet of flame mounted high in the air to announce that the mighty Legislature of Britain is sitting in council. Just before our period the palace had been burnt down, all but the beautiful banqueting-hall, the masterpiece of Inigo Jones—and, to the good fortune of the present, and, let us hope, after centuries, the only portion of the palace that it would have been an irreparable calamity to have lost. Though not in their present house, the Guards made

the spot more lively with their brilliant red liveries than it is at present, since, ostensibly, only two men represent the old guard of horse and foot. Between them and the river at Whitehall Stairs was a sort of place of call for the hiring of people for casual purposes, such as running messages, carrying parcels, showing the way to unknown parts of the intricate city, and perhaps in the performance of other services not all of them creditable. When waiting for another job they acted as shoeblacks, the "Clean your boots, sir," of the day. It was noticed that they ventured on a good deal of mocking mimicry of the Guards in drilling and parading. Hence they brought on themselves the name of "the blackguards,"¹ thus contributing its most powerful appellative to the vituperative nomenclature of the English language.

London, in filling the spaces swept by the great fire with fresh streets and buildings, was then in the middle of a work of which the method of fulfilment, as selected from others available at the time, has been so heartily condemned at the present day, that there is a prospect and a hope that all, or nearly all, may be pulled down and reconstructed. The Romans were a practical, wise people, and in nothing did

¹ Blackguards — from the shoeblacks, who came to be greeted as "the black guard," because they gathered in force at the Horse Guards. "Dirty, nasty, tattered, roguish boys that attend at the Horse Guards to wipe shoes, clean boots, water horses, or run of errands."—New Dictionary of the Terms, Ancient and Modern, of the Canting Crew, by B. T. Gents. "Under the notion of cleaning our shoes, about ten thousand wicked, idle, pilfering vagrants are permitted to patrol about our city and suburbs. These are called the 'Blackguards,' who black your honours' shoes, and incorporate themselves under the title of the 'Worshipful Company of Japanners.'" — Everybody's Business is Nobody's Business, by Defoe, p. 25.

they more conspicuously show their wisdom than in their ædile police, with its provisions for removing the impurities that injure health, and its precautions against danger from fire. When the great fire of 1666 left so much of London to be rebuilt, there were plans that, if any of them had been adopted, would have made an open healthy city; but, left to private speculation and competition, the houses followed the market for house accommodation. Hence the stranger curious in finding what kind of town he is in, after due admiration for the clubs and palaces in Pall Mall and St James's Square, turns the corner and finds himself among the rookeries as they are termed—the abodes of mendicants, prostitutes, and thieves.

It is among the laws of supply and demand that where the wealthy congregate there will the worthless classes—living on the casual and careless expenditure of the wealthy—congregate, if they can find houses or hiding-holes. The vagrancy and mendicancy laws, and the police who administer these laws, have had a long harassing and vain contest with them. Laws were passed prohibiting the resort of the people to London, but such laws could not be put in practice without an interference with personal freedom inconsistent with the spirit of the British constitution. There would have been no tyranny or undue interference with personal liberty had London been so built that the vagrant and mendicant class could find no means of settling there. The late police magistrate, Mr Walker, the author of 'The Original,' who was a shrewd observer, and had seen as much of London life as any man had, made the observation,

that "if the Strand were lined with empty casks they would all have inhabitants within a week, and these inhabitants would breed a cask-living race." The corollary from this was to avoid lining the Strand with empty casks. Had the new town that was to arise out of the flames been so built that no one could afford to inhabit it who was not self-supporting, there would have been no hardship to any one. The pressure of the absolute law of supply and demand would have provided for the decent workman by raising the wages of his labour to the point that would enable him to hire a house sufficient for his wants; and it would have been to the injury of no one had an ædile police prohibited the erection of houses liable to be overcrowded by a surplus idle population. The mistake having been committed, the remedy cannot be effected without great cost and perhaps some hardship. But still, both cost and hardship might be a better policy in the end than the protracted tolerance of the social disease.

Some cities—generally built with stone—have such an air and structure as if they had risen in an incrustation or crystallised coating upon some geological upheaval beneath—such as Cracow, Tivoli, Naples, and, conspicuously, Edinburgh. London, on the other hand, has more of the nature of a vast encampment, or a fair with hundreds of thousands of booths crowded together. People habitually residing in London cannot understand the impression of the flimsy, the unsubstantial, and the temporary, felt by the inmate of a strong stone-house when he spends his first night in London. He notices that throughout the whole mighty mass of buildings ever here

and there a process of transmutation is at work. Occupying a high storey in some inn or lodging-house, he finds that while he was asleep a lower storey has been cut out to be renewed, and an ingenious process of machinery has been constructed for his security and freedom of motion. At the first aspect it is like a place where antiquity is impossible, yet shall he find by degrees many remnants of the far past.

The sagacious and industrious Roman saw the advantage offered to the civilised settler in the site of the present city, and he has left abundant relics of a settled life there, in the bath, with its luxurious privacy and its holocaust, the tessellated pavements, statuary, houses, and tombs. So much Roman masonry has been found in the old wall as to support the theory that the Roman colonists built the whole of the wall, and that in later ages it was only repaired or altered for support and adaptation to new systems of mural fortification. Though a time came when there was nothing of the Roman in the social life of London, it came to no sudden termination but died away into the life of the Saxon, until it was, in language at least, restored in the revival of classical literature. But in London, as elsewhere, Rome left her traces in the form of the early native architecture, now from that peculiarity sometimes called Romanesque. If instances are desired more closely uniting in pedigree the round arched form of the Gothic, commonly called Norman, than the London churches supply, it may be found not far from London, and among the abundant ancient remains at St Albans, where it is maintained by some that much of the brickwork is of undoubted Roman type.

The Church of St Bartholomew the Great at Smithfield is a grand specimen of the transition from Roman to Gothic in its size and the purity of its adherence to the round arch. It may not be without interest to note how the literary guide of our period pointed out its qualities to the stranger. "The church is a spacious pleasant old building of the Gothic and Tuscan orders, with a strong timber roof. The walls of the church are of boulder-stone and brick, and the steeple of brick, with battlements. It had the good fortune to escape the terrible fire in 1666, and was new beautified in the year 1696. It is handsomely enough pewed, though mostly old, and the pulpit is a piece of fine old carving after the Gothic manner.

"The altar-piece is a very spacious piece of architecture, painted of stone-colour in perspective. It consists of four columns and two pilasters with their entablaments of the Doric order. The intercolumns are the Commandments, and lower are the Lord's Prayer and Creed, all done in gold letters upon black. Over the Commandments and under an arching pediment is a glory, with the word Jehovah done in Hebrew characters. Above the said pediment are the queen's arms done in their colours between two columns of the Ionic order, over which is another circular pediment, and the whole is adorned with pyramidal figures, shields, &c."¹

In London, the powers of good and evil in contest with each were in a state of concentration,—great evils demanding strong and large remedies. A cry

¹ New View of London, i. 142.

of spiritual destitution is raised, and Parliament passes an Act to erect at once fifty new churches; and they stand yet an instructive lesson on the architectural styles common to the period. In the matter of police, the city had a concentrated power from a very remote period. The Lord Mayor, Aldermen, and Common Council having inquest men and constables for their assistance, much of the service thus obtained was a feudal duty, rendered by the citizen himself if he were poor, and by a hired deputy if he were rich. The growing cities beyond the city proper were generally, when disorganisation became supreme, brought under local Acts. There was, of course, divided management, but crime and vice had not then the means of spreading rapidly over the whole population, and both the evil and the remedy were of a parochial character. The "better sort," as they were called—the tradesmen with incomes sufficient for keeping up a good house—lived much as they do now, with a limited attendance of female servants. These were in their day objects of bitter complaint, as mimicking "their betters" in attire and luxuries. Defoe complains of his own particular domestic damsel taking snuff with the air of a duchess.

There were no comprehensive aids for the removal of impurities, but at the same time there were not the fatal causes of reaction that are apt to occur where large remedies are tried prematurely ere the full mechanical command over their mischievous powers has been acquired. There was ornamental ground within the town, and abundance of unfertile but fertilisable clay all around, to absorb organic matter, and the Thames had not yet been trans-

muted into a *cloaca maxima*, though so much pollution had got into it as to create uneasiness about the salmon-fishery. An Act of the year 1710 gives us some hints on the condition of the river, and shows a stage in the advancement of the pollution that was interrupting the fastidious salmon on the way to the upper reaches. "That salmon fish—which are become very scarce by destroying great quantities of salmon 'at the period when they are out a season and spawning'—may become very plentiful and common in the said fishery, as they were formerly," it is made penal to catch them between the 24th of August and the 11th of November. The Legislature was so provident as to provide a staked spawning-ground for the fish able to reach it; and it was to be fixed by the corporation in some place "betwixt the London mark-stone above Staines Bridge and London Bridge." But it was destined that the advancement of London in cleanliness, by using the river as a vast sewer for carrying away the impurities of the city, should be far more hostile to the ascent of this fastidious fish than the poacher.

When Queen Anne passed in state through the city—as we have seen that she passed on the occasions of thanksgiving at St Paul's for the great victories—she was attended as a guard of honour by a detachment of the "Artillery Company," otherwise the "trained-bands." In the high qualifications of John Gilpin, not only was he a citizen of credit and renown, but a "trained-band captain eke was he, of famous London town." This was a military force peculiar and distinct from all others in its command and its privileges, like so many of the institutions

attached to "the city." They were under the Crown as the supreme head of all the military forces of the realm, but they were not included in the vote that annually subjected the standing army to the control of Parliament. They had estates of their own for their maintenance, and were an army. Their numbers do not seem to have been limited; and in Cromwell's time they approached 20,000 in strength. The world is not complimentary to the civic soldier in acknowledging the extent of his valour and the completeness of his discipline. But if their renown in preceding centuries had been forgotten, it was resuscitated when the great Chancellor's History burst from its hiding-place into the light of day, and told a tale of the prowess of the Trained-bands that made the heart of the city leap with exultation. The occasion was the battle of Newbury, in the year 1643, just before Essex's march to London. Clarendon tells us how "the king's horse, with a kind of contempt of the enemy, charged with wonderful boldness upon all grounds of inequality; and were so far too hard for the troops on the other side that they routed them in most places, till they had left the greatest part of their foot without any guard at all of horse. But then the foot behaved admirably on the enemy's part and gave their scattered horse time to rally, and were ready to assist and secure them on all occasions. The London trained-bands and auxiliary regiments—of whose inexperience of danger or any kind of service, beyond the easy practice of their postures in the artillery garden, men had till then too cheap an estimation—behaved themselves to wonder, and were in truth the preservation of that army that day; for

they stood as a bulwark and rampart to defend the rest; and when their wings of horse were scattered and dispersed, kept their ground so steadily, that though Prince Rupert himself led up the choice horse to charge them, and endured their storm of small shot, he could make no impression upon their stand of pikes, but was forced to wheel about; of so sovereign benefit and use is that readiness, order, and dexterity in the use of their arms, which had been so much neglected."¹

The author of the 'New View' seems to think that the reputation of their valour on that occasion had endowed them with a vaulting ambition, saying, "They do by prescription march over all the ground, from the artillery ground to Islington, and Sir George Whitmore's at Hoxton, breaking down gates, &c., that obstructed them on such marches."

The readers of the 'Spectator' get many casual glances at the city life of Addison's day, and especially at those terrible Mohawks who haunted the streets at night. They appear to have taken their name, and perhaps in some measure their costume, from the Indian chiefs whose visit to London is elsewhere noted. A book attributed to Edward Ward, commonly called Ned Ward, has for its title, 'The English Theophrastus; or, the Manners of the Age: being the Modern Characters of the Court, the Town, and the City.' Here one might expect to find some insight to the city life of the time; but the book has throughout a provoking tone of the didactic, dealing in general censures and commendations. About the clearest picture in it is the following:—

¹ History (Oxford, 1843), p. 449.

"One of the most remarkable fools that resort to Wills's is the fop-poet, who is one that has always more wit in his pockets than anywhere else, yet seldom or never any of his own there. Æsop's daw was a type of him, for he makes himself fine with the plunder of all parties. He is a smuggler of wit, and steals French fancies without paying the customary duties. Verse is his manufacture; for it is more the labour of his fingers than his brain. He spends much time in writing, but ten times more in reading what he has written. He asks your opinion, yet for fear you should not jump with him, tells you his own first. He desires no favour, yet is disappointed if he is not flattered, and is always offended at the truth. He is a poetical haberdasher of small-wares, and deals very much in novels, madrigals, funeral and love odes, panegyrics, elegies, and other toys of Parnassus, which he has a shop so well furnished with, that he can fit you with all sorts in the twinkling of an eye. He talks much of Wycherley, Garth, and Congreve, and protests he cannot help having some respect for them, because they have so much for him and his writings, otherwise he could make it appear that they understand little of poetry in comparison of himself, but he forbears them, merely out of gratitude and compassion. He is the oracle of those that want wit, and the plague of those that have it; for he haunts their lodgings, and is more terrible to them than their duns."¹

We have, on the other hand, in the following diary of a week, by Thomas Brown, a story sufficiently terse and specific:—

"*Wednesday, 16.*—Cloudy foggy weather at Gar-

¹ The third edition, 1708, p. 9.

raway's and Jonathan's, and at most coffee-houses, at and about twelve. Crowds of people gather at the Exchange by one, disperse by three. Afternoon noisy and bloody at her Majesty's bear-garden in Hockley-in-the-Hole. Night sober with broken captains and others that have neither credit nor money. If rainy, few night-walkers in Cheapside and Fleet Street. This week's transactions censured by the virtuosos at Child's from morning till night.

"*Thursday, 17.*—Coffee and water-gruel to be had at the Rainbow and Nando's at four. Hot furmity at Fleet Bridge by seven. Justice to be had at Doctors' Commons, when people can get it. A lecture at Pinner's Hall at ten. Excellent pease-pottage and tripe in Baldwin's Gardens at twelve. . . . A constable and two watchmen killed, or near being so, in Westminster; whether by a lord, or a lord's footman, the planets don't determine.

"*Friday, 18.*— . . . Damsels whipped for their good-nature at Bridewell about ten. Several people put in fear of their lives by their godfathers at the Old Bailey at eleven. Great destruction of herrings at one. Much swearing at three among the horse-courers in Smithfield; if the oaths were registered as well as the horses, good Lord, what a volume 'twould make! Several tails turned up at Paul's School, Merchant Tailors', &c., for their repetitions. Night very drunk, as the two former.

"*Saturday, 19.*—Twenty butchers' wives in Leadenhall and Newgate markets overtaken with sherry and sugar by eight in the morning. Shopkeepers walk out at nine, to count the trees in Moorfields, and avoid duns. People's houses cleansed in the

afternoon, but their consciences we don't know when.

. . . Evening pretty sober.

"*Sunday, 20.*—Great jangling of bells all over the city from eight to nine. Psalms murdered in most parishes about ten. Abundance of doctrines and uses in the meetings, and no application. Vast consumption of roast beef and pudding at one. Afternoon sleepy in most churches. Store of handkerchiefs stolen in Paul's at three. Informers busy all day long. Night not so sober as might be wished.

"*Monday, 21.*— . . . Catchpoles up early to seize their prey against the first day of the term. Journeymen tailors', shoemakers', and prentices' heads ache with what they had been doing the day before. Tradesmen begin the week with cheating, as soon as they open shop. If fair, the Park full of women at noon; some virtuous and some otherwise. Great shaking of the elbow at Wills's, &c., about ten. Two porters fall out at putt in a cellar in the Strand, at twelve precisely.

"*Tuesday, 22.*—Wind, whether east, west, north, or south, no matter, but in one corner or other of the compass most certain; if high, the beaux advised to be merciful to their long perukes. Muslins and pepper rise at the East India House at twelve. Calicoes fall before two. Coached masques calling at the chocolate-houses between eight and nine."¹

Here is another sketch of town life, showing the shape taken, above a century and a half ago, by a phenomenon familiar to the present day—the August exodus:—

¹ "The Works of Mr Thomas Brown. The Ninth Edition, carefully Corrected."—I. 145-147.

"To GEORGE MOULT, Esq., *from the Gun Music-Booth in Smithfield.*

"DEAR GEORGE,—

"August 30, 1699.

"All things are hushed, as law itself were dead,
Poor pensive Fleet Street drops its mournful head;
Smooth alkalies in peace with acids sleep;
The Church and stage no longer difference keep:
The Strand's a desert grown.

"And now the spirit of versification leaving me in the lurch, I come to tell you in honest prose that I mean no more by all this rumbling stuff than to let you know this is the long vacation, which lawyers, poor whores, and tailors, as well as many other trades, agree to curse most plentifully. Yet though the generality of our people are glad this penitential season is near expired, for my part I could heartily wish, as a soldier does by the wars, or a woman by enjoyment, it would last much longer.

"You'll tell me that this is paradox; for why the plague should a man desire to be in town, when it is a solitude in a manner, and all the best company is gone to Tunbridge, Epsom, or the Bath? All this may be true; but before you and I part, perhaps I may bring you to be of my opinion—I mean, reconcile you to the long vacation.

"In the first place, you must know that I hate to be in a crowd; for which reason I wonder why so many wise gentlemen should be so fond to go to the jubilee at Rome, where they are like to be thronged or crowded, as much as a spectator at a country bull-

baiting, and with almost as bad a mob. I hope you'll pardon the familiarity of the expression, for indeed, when I consider what a motley herd of priests, fops, and bigots will troop thither on this occasion, I cannot find in my heart to give them a better name. In short, I love the long vacation upon the same account that some honest claret-drinkers love walking home at midnight, because the streets are clearer and not so incommoded as at other times. Besides, London is at no time of the year so thinly peopled (God be thanked!) but a man, with a little industry, may find company enough of both sexes, to the ruin of his health and consumption of his estate. But this is not all: a universal spirit of civility reigns over all the town; the tradesmen are more confiding, and the harlots better-natured.

"A vintner, who, in the hurry of Michaelmas term, is as difficult of access as a privy councillor, will now give you his company for asking, and perhaps club his bottle into the bargain; and the very individual damsel with whom, a month or two hence, nothing below a senator will go down, or at least a man that will bribe as deep, is now so humble by the emptiness of the town, that for the credit of being carried in a coach to her lodgings, and the expense of a bottle of wine to treat her landlady, she will put on a clean smock to oblige you, without so much as exacting money to pay the laundress.

"I could say a thousand things more in behalf of the vacation, but I shall content myself at present with observing that it produces Bartholomew Fair; and when I have said that, I think it needs no farther

panegyric. If antiquity carries any weight with it, the Fair has enough to say for itself on that head. Fourscore years ago and better, it afforded matter enough for one of our best comedians to compose a play upon it. But Smithfield is another sort of a place now to what it was in the times of honest Ben, who, were he to rise out of his grave, would hardly believe it to be the same numerical spot of ground where Justice Overdo made so busy a figure; where the crop-eared parson demolished a gingerbread stall; where Nightingale, of harmonious memory, sung ballads; and fat Ursula sold pig and bottled ale.

"As I have observed to you, this noble Fair is quite another thing than what it was in the last age: it not only deals in the humble stories of Crispin and Crispianus, Whittington's cat, Bateman's ghost, with the merry conceits of the little pickle-herring, but it produces operas of its own growth, and is become a formidable rival to both the theatres. It beholds gods descending from machines, who express themselves in a language suitable to their dignity: it traffics in heroes; it raises ghosts and apparitions; it has represented the Trojan horse, the workmanship of the divine Epeus; it has seen St George encounter the Dragon, and overcome him. In short, for thunder and lightning, for songs and dances, for sublime fustian and magnificent nonsense, it comes not short of Drury Lane or Lincoln's-Inn-Fields. But to leave off this bombast with which the booths have infected me, and deliver myself in a more familiar style, you must know that at this present writing your humble

servant is in a music-booth; yet though he is distracted with a thousand noises and objects, as a maid whirling round with a dozen rapiers at her neck, a dance of chimney-sweepers, and a fellow standing on his head on the top of a quart-pot, he has both leisure and patience enough to write to you."¹

¹ The Works of Mr Thomas Brown, i. 188-190.

CHAPTER XIX.

The Four Last Years.

THE CHURCH OF SCOTLAND—CASE OF GREENSHIELDS—ESTABLISHMENT OF APPEAL TO THE HOUSE OF LORDS—ABOLITION OF PATRONAGE—ACT AGAINST OCCASIONAL CONFORMISTS IN ENGLAND—THE LEGISLATION OF THE PERIOD—THE ASSIENTO AND THE SOUTH SEA ACT—THE COMPANY—MONOPOLY OF THE SLAVE-TRADE BY BRITAIN—THE SITUATION AND THE JACOBITES—QUARREL BETWEEN BOLINGBROKE AND OXFORD—THE QUEEN'S DEATH—THE CRITICAL ASSEMBLING OF THE PRIVY COUNCIL.

"THE Tory Ministry," as it was termed, of the reign of Queen Anne, left behind it the elements of a long polemical and political squabble in Scotland. The Protestants there were divided into three bodies, having strong marks of incompatibility with each other. There was the Episcopalian community in the north-east, strong in wealth and rank. By English nomenclature they would have been assigned to the High Church party; but they went farther in the same direction than that party, and if their political creed could have been brought forth into the light, it would have revealed, in almost every instance, the deadly blot of Jacobitism. There was the comfortable Presbyterian Establishment standing between that unorthodox and unconstitutional body on the

one side of it, and on the other side the remnant of those who proclaimed the Solemn League and Covenant as still binding on all the three realms of England, Scotland, and Ireland. The first clashing of these elements was the work of the most moderate of the three—the Established Church; and those who began and taught it the lesson of restlessness, had occasion bitterly to lament that they had opened the flood-gates.

An Episcopal clergyman, named Greenshields, bringing his orders as a clergyman from Ireland, had settled in Edinburgh, where he ministered to a congregation of his own persuasion. He made his advent conspicuous and offensive by bringing with him the English liturgy; for, ever since the attempt of Laud and his party to force a liturgy, in which Popish tendencies had been detected, on the people of Scotland, even the old simple liturgy of Scotland, sanctified by the name and approval of John Knox, had fallen aside and been forgotten.

Here, then, in a Presbyterian community, was a clergyman using a service unsanctioned by the National Church; and so the local authority of that Church, the Presbytery of Edinburgh, put him on trial, and "discharged" him, as an unqualified intruder, from acting the part of clergyman within their bounds. The clergy, however, had only spiritual weapons, and these could touch neither him nor the building used by him. The presbytery applied to the magistrates, who sentenced Greenshields to imprisonment; and their judgment was confirmed by the Court of Session.

Then came a momentous question. After a long

constitutional struggle, Scotland had, in the seventeenth century, secured what was called "remeid of law" to the Estates—an appeal from the king's judges in the Court of Session to the representatives of the people in Parliament. Would an appeal now lie to the British Parliament established by the Union? An appeal was brought. It found its way into the usual channel of appeals to the House of Lords; and there, in the tribunal dignified by the presence of the English bishops, all that had been done to put down Greenshields was reversed.

This reversal was a historical event, making, in conjunction with two Acts of Parliament, a historical crisis in Scotland. In the south-western counties troublesome mobs of fanatics had, to use a term brought in at the time, "rabbed" Episcopalian clergymen who had ventured among them. An Act, avowedly to remedy this, was passed; but, with thorough English unconsciousness of offence, it touched very sensitive nerves in the religious life of the Presbyterian clergy and their sincere followers. The clergy were required to take the Test and Abjuration Oaths as public officers, and were also required, at each religious service, to pray "in express words for her most sacred majesty Queen Anne, and the most excellent Princess Sophia." Now, as it happened, there were no men more zealous in the support of the Protestant succession than these clergy and their followers; but, at the same time, there were none who so heartily abjured the right of the State to impose religious tests; and in this instance, the calling up of the line of succession unfortunately brought it under the close notice of the Scots Presby-

terians, that the Act bringing the Princess Sophia into the line brought her in under a limitation of the succession to members of the Church of England.

The other of the two offensive measures was "An Act to restore the patrons to their ancient rights of presenting ministers to the churches vacant in that part of Great Britain called Scotland." In England the advowson or advocacy—the collating to the benefice—was a relic of the easy life that the established religion, as administered by the affluent Church of England, enjoyed. The great landowners—they might be peers or baronets also, but their claim to local dignity and power was rooted in the soil—had, in old times, founded churches, and had fallen into the practice of giving the church founded by an ancestor the services of a clergyman in the person of a younger son of the house. It was a decorous and convenient arrangement—providing duties as well as emolument to a younger son, and keeping him near the paternal hearth. In the strifes, religious and secular, that had shaken Scotland, no such accommodative adjustment had been permitted to grow, and "patronage" had come to be denounced as an outrage on the sacred rights of "the Christian people." Lay patronage had been abolished by an Act of the year 1690. The terms of this Act, when now examined, are obscure, and in some measure contradictory. One part of it withdraws the patronage, and creates what was called the "harmonious call" by certain laymen, recommending to the ecclesiastical court a successor to a vacancy. The Act of 1690, however, fixed a price to be paid to the patron: it was to be 600 merks—a trifle above £33 in modern money.

It appears that the patron could abandon the patronage and claim the money; and, on the other hand, that he could be compelled to sell the patronage at its parliamentary price. Vested rights created under this Act were respected by the Act of 1712, and the patrons did not recover the patronages for which they had drawn compensation.

The Act against Occasional Conformists got its way through Parliament under the new influences coming into effect on the 12th day of March 1712. It is an Act curiously interwoven and parenthetical, as if it had been drawn with an effort to raise difficulties in the way to the discovery of its meaning. Even its title is elaborate and dubious, seeming to hide its intolerance under a proclamation of the furtherance of toleration. It is called "An Act for Preserving the Protestant Religion, by better securing the Church of England, as by law established; and for confirming the toleration granted to Protestant Dissenters by an Act intituled 'An Act for exempting their Majesties Protestant subjects, dissenting from the Church of England, from the penalties of certain laws, and for supplying the defects thereof; and for the further securing the Protestant succession, by requiring the practisers of the law in North Britain to take the oath, and subscribe the declaration therein mentioned.'"¹

The person, whether he have occasionally conformed or not, who holds a Government or corporation office, is disqualified by the Act if he afterwards attends a conventicle. The conventicle is defined to be a meeting of ten persons occupied in religious ceremonial or worship other than the English Prayer-

¹ 10 Anne, c. 2, British Statutes, iii. 445.

book; and if an attempt is made to conceal the congregation in a private house, the law interposes if there be ten persons besides the family occupying the house. That the Act may be cleansed of any Jacobite stain, it provides, that although the liturgy of the Church of England be used in the assembly, otherwise acting as a conventicle, the forfeiture is incurred if prayer for the Princess Sophia is omitted. The punishment is a penalty of £40, and incapacity to hold office.

A statute passed early in the year 1711 connects itself, on the one side, with a remarkable stipulation in the Treaty of Utrecht, and, on the other, with great calamities overtaking the British empire some years after the end of our period. It stands on the statute-book as "An Act for making up deficiencies and satisfying the public debts; and for erecting a corporation to carry out a trade in the South Seas; and for the encouragement of the fishery; and for liberty to trade in unwrought iron with the subjects of Spain; and to repeal the Acts for registering seamen." Before entering on the political and commercial influence of this Act, it may be noted as a specimen of the legislative practice of the period. The social organisation of the empire in all its elements was becoming complex and cumbrous, and the statute law expressed its character in mixed and incoherent legislation. The "excellent brevity" that Bacon found in the Scots Acts was not characteristic of the legislation of England at any time; nor perhaps would it have been endured in England, since it owed its excellency to imperfection in the full definition of what is lawful, and its distinction from

what is unlawful. The early statute law of England had, however, been comparatively brief and distinct; but now wealth and trade and enlargement of population demanding more extensive and minute legislation than that of older reigns, the legislator, or rather his draughtsman, endeavoured to overtake the increasing wants that had to be provided for, simply by increasing the number of words used by him, without any system of analytic classification.

From this source the statute law was at this period rapidly degenerating into a chaos, where the precepts that the subject had to obey if he would avoid pains and penalties became so hidden, that the person who should keep up an acquaintance with them all required to devote his life to the task; and the safety of the public at large from capture in the traps hidden in the statute law depended, not on knowledge of the nature and position of the traps, but in the ignorance of the rest of the world that there were such places, and that victims might be found in them.

Tediousness and perplexity in legislation were at this time becoming evident as one of the inevitable conditions of national freedom. Justinian issued his institute of the laws of the empire in a small volume of simple precepts, expressed with much terseness and beauty. The same feat was repeated by Napoleon in his illustrious Code. But all simplifiers of the law in this country have been baffled by the necessity of defining their precepts with so much fulness and exactness that there can be no misinterpretation. The statutory rule insufficient for its purposes, is the property of him who can gain by founding on the insufficiency. Reason, common-sense, and even the

intention of the promoters of the precept are appealed to in vain if the precept that professes to be a law is insufficient for its purposes.

To desire a reader to peruse a document merely that he may note how tedious and confused it is, can scarcely be called an invitation to a pleasurable task. But for those who care to examine them, two specimens are deposited in a note. They are the titles, and the titles only, of two Acts of Parliament; the first in order being an Act of the tenth year of Queen Anne—the second specimen being the title of an Act passed in the next ensuing reign, cited for the purpose of showing how perplexity and lengthiness were accumulating.¹ From that time to the present day

¹ "An Act for laying several duties upon all sope and paper made in *Great Britain* or imported into the same; and upon chequered and striped linens imported; and upon certain silks, calicoes, linens, and stuffs printed, painted, or stained; and upon several kinds of stamp vellum, parchment, and paper; and upon certain printed papers, pamphlets, and advertisements for raising the sum of eighteen hundred thousand pounds by way of a lottery towards her Majesty's supply; and for lisencing an additional number of hackney chairs; and for charging certain stocks of cards and dice; and for better securing her Majesties duties to arise in the office for the stamp-duties by licences for marriages and otherwise; and for relief of persons who have not claimed their lottery tickets in due time, or have lost Exchequer bills, or lottery tickets; and for borrowing money upon stock (part of the capital of the *South-Sea Company*) for the use of the publick."

"An Act to continue several laws for the better regulating of pilots for the conducting of ships and vessels from Dover, Deal, and the Isle of Thanet, up the rivers of Thames and Medway; and for permitting rum or spirits of the British sugar plantations to be landed before the duties of excise are paid thereon; and to continue and amend an Act for preventing frauds in the admeasurement of coals within the city and liberty of Westminster, and several parishes near thereunto; and to continue several laws for preventing exactions of occupiers of locks and weirs upon the river Thames westward, and for ascertaining the rate of water carriage upon the said river; and for the better regulation and government of seamen in the merchant service; and also to amend so much of an Act made in the first year of the reign of King

the simplification of the statute law has occupied the attention of many men of great ability and profound learning. The chief improvements first attempted were in classification and arrangement. The Acts of Queen Anne as originally printed have no separate enumeration beyond the year of the queen's reign within which they were passed. The separate title—such as the specimens in the note—separates any one statute from all others, but they are not separated from each other by a number, nor divided into numbered sections, as in the present day, when, through the mass of our far more abundant statute law we can at once lay our hand on a small paragraph if we are instructed where we shall find it; if we are told that it is the twentieth section of the sixteenth chapter of the Acts passed in the forty-first year of the reign of Queen Victoria; or otherwise more briefly, “the 41st Vict., c. 16, s. 20.”

Something has been accomplished by legal experts undertaking the framing of a symmetrical code for a consolidating statute adjusting for permanence some portion of the statute law; and when this is effectively done, the division by sections is aided by a logical division and subdivision, so that each part

George the First as relates to the better preservation of salmon in the river Ribble; and to regulate fees in trials at assizes and *nisi prius*, upon records issuing out of the office of pleas at the Court of Exchequer; and for the apprehending of persons in any country or place upon warrants granted by justices of the peace in any other country or place; and to repeal so much of an Act made in the twelfth year of the reign of King Charles the Second, as relates to the time during which the office of excise is to be kept open each day, and to appoint for how long a time the same shall be kept open upon each day for the future; and to prevent the stealing or destroying of turnips; and to amend an Act made in the second year of his present Majesty, for better regulation of attorneys and solicitors.”

of the law is in the place where the reading of the previous parts leads to an expectation that it may be found. These consolidating statutes are now numerous, and they open a peculiarity in the statute-book of a kind that claims attention from historical students if they would accurately know the legislation of the historical period they may be studying for the time. The consolidating Acts represent groups of old Acts repealed. But all along the course of the statute-book Acts or clauses of Acts are repealed. In making up and printing editions of the statutes for practical lawyers, or other persons desirous of only possessing the statute law as it is alive and effective, it is usual to omit repealed statutes. Hence any one desirous of studying the statutes of the realm for historical purposes must grope for them in old editions printed before the repeal; and he will probably find that these are not easily obtained, having been burned or used for packing parcels, as paper waste and worthless.¹

The occasion of citing some statutes relating to trading, navigation, and colonial enterprise seemed a suitable occasion for a notice of the progress and condition of the statute law, as the citations from them would afford specimens of the legislation of the period. To say a word on the characteristics of that legislation, and its position in the history of the legislative work of the empire, let us now return to the substance and history of the Act “for erecting a corporation to carry out a trade in the South Sea.” It is a curious little fact in personal history, that

¹ I have found the statutes from the Union onwards, in a serviceable shape in small volumes, printed in Edinburgh by “William Brown and John Mosman, assigns of James Watson, deceased.”

John Law of Lauriston, whom we have already seen promulgating mighty financial projects to the Scots Estates, had been haunting Harley and endeavouring to fascinate him with projects to be undertaken by the United Kingdom, when it struck his fancy that France would afford a more brilliant career for his enterprising spirit, and it took its swing in the Mississippi Scheme. Still it was the fate of his strange scheming spirit to have its influence in Britain, for the Mississippi Scheme stimulated into existence the British South Sea Scheme.

The solid foundation for it was laid in the concession to Britain, at the Treaty of Utrecht, of the *Assiento*, or the exclusive privilege of supplying African slaves for the Spanish colonies in the West Indies, as the continental as well as the insular regions of the American side of the globe were then called. The Act proclaims that "it is of the greatest consequence to the honour and welfare of this kingdom, and for the increase of the strength and riches thereof, and for the vending the product and manufacture, goods and merchandises, of or brought into this kingdom, and employment of the poor, that a trade should be carried on to the South Seas and other parts in America within the limits hereinafter mentioned; which cannot so securely and successfully be begun and carried on, as by a corporation and joint-stock exclusive of all others." The limits set to the exclusive trade of the company are: "The kingdoms, lands, countries, territories, islands, cities, towns, ports havens, creeks, and places of America on the east side thereof, from the river of Orinoco to the southernmost part of the Terra del Fuego; and on the west

side thereof from the said southernmost part of the Terra del Fuego, through the South Seas to the northernmost part of America; and into unto and from all countries, islands, and places within the said limits which are reputed to belong to the Crown of Spain, or which shall hereafter be found out or discovered within the said limits, not exceeding 300 leagues from the continent of America, between the southernmost part of Terra del Fuego and the northernmost part of America on the said west side thereof;" an exception being made of any territories within the two extremities belonging to Portugal or the United Provinces.

The company's privileges are protected by the absolute forfeiture of the ships, and all their contents, of the offenders, "if any of the subjects of her Majesty, her heirs or successors, of what degree or quality soever they be, other than the said company or corporation, or their factors, agents, or servants or other persons by them licensed thereunto, according to the true meaning of this Act, shall directly or indirectly visit or frequent, trade, traffic, or adventure into unto or from the said South Seas, or other the parts within the limits aforesaid, contrary to the meaning of this Act, or shall hire, freight, or fit out any ship or ships, or lade or put on board any ship or ships any goods or merchandise whatsoever, with intent to haunt, frequent, traffic, trade, or adventure into or unto the said South Seas or other parts within the limits foresaid were to be punished as trespassers."

The company was to have an armed fleet, and might attack any vessels whether belonging to other

nations or to British subjects found trespassing on its privileged seas. If the ships were foreign, the company was to take such portion of prize-money for their sale as the Crown might direct; but what they seized from British subjects interloping was put absolutely at their own disposal. There were careful provisions in the Act to obviate interference by the South Sea Company with the privileges of the East India Company; and the navigation of seas that might possibly be common to the purposes of both is adjusted with the view of obviating collision.

There are some opinions on the social condition of Britain that may be described as the ever-present—that is to say, their prevalence is at all times maintained as a novelty of the time being. Among these opinions, one very conspicuous is that we are always living in the age of upstarts. Our old families are passing away, and the new-made rich are taking their place—physically and morally—getting possession of their estates, and gaining golden opinions for the energy and capacity that enables them to take and hold their property. This class of opinions, though ever present, is stronger at some seasons than at others, and it may be safely said that at no period was it so strong as in the early part of the eighteenth century. The trading inspirations of the day were a fanaticism that burst forth in wild orgies. It was the age distinguished by the Mississippi Scheme in France, and the Darien Scheme in Scotland; and as we near the end of Queen Anne's reign, we find growing up the project that burst like a thunderstorm over the land in the South Sea crisis.

This great company had an origin so foul, that if

a like transaction came to pass at the present day we would not discuss the merits or the demerits of those concerned in it, but would weigh their guilt as we weigh that of a thief or forger.

The slave-trade was esteemed as the most lucrative commerce of the day, and it created in one shape the most active competition, and in another the keenest negotiations for an absolute monopoly. This monopoly fell, as we shall see in the end, to Britain; but for some years there had been in the country two competing bodies—an old and a new company. We find these latter, the “separate traders to Africa,” as they called themselves, demanding free trade,—“that the trade to Africa may be continued free and open to all the subjects of Great Britain;” “setting forth that since the laying open the trade to Africa in the year 1698, the island of Jamaica had been much better supplied with negroes by the separate traders to Africa than at any time before by the Royal African Company, and the prices so moderate, and the markets so overstocked, that many ships loads of them have been yearly exported again and sold to the Spaniards for gold and silver; that the beneficial increase of this trade hath proved of infinite advantage to the said island, by means of a great increase of its productions, as also to Great Britain in the improvement of its navigation and revenue. That the former mischiefs of being ill supplied with negroes, and of being obliged to buy them but of one seller only for the African Company, and to sell most of the plantation commodities to the same buyer at what price he pleases, have been—by opening the said trade—wholly prevented. And if the said company

should again obtain that trade to Africa exclusive of all others, under the groundless suggestions of their petition to the House, the petitioners have reason to fear all the mischiefs of a monopoly, the ruin of the said island, the loss of the Spanish trade, and the decrease of navigation."¹

The *Assiento*, a Spanish word appearing to be the simple equivalent of the English word "contract," came to be exclusively applicable to the contract for supplying the Spanish colonies in the western hemisphere with negro slaves. It was at first a contract between France and Spain."² As a privileged commerce of vast pecuniary value, it was one of the boasted acquisitions of the Crown of France in the days of its power and glory, but now a stronger

¹ Commons Journals, 1st February 1708(9).

² "Voici le fameux Traité de l'Assiento, qui a fait tant de bruit; et que l'Angleterre a obtenu de la France et de l'Espagne, à commencer du premier de Mai de la présente année 1702, sur le même pied que la Compagnie de France l'a eu jusques au dit jour et qu'il est imprimé ci dessus."

The ruling condition is—

"I. Ladite Compagnie Française de Guinée ayant obtenu la permission de leurs Majestez, Très-Chrétienne, et Catholique, de se charger de l'Assiento, ou introduction des Eclaves Nègres dans les Indes Occidentales de l'Amerique appartenantes à sa Majesté Catholique, afin de procurer par ce moyen un avantage et une utilité reciproque à leurs dites Majestez, et aux sujets de l'une et de l'autre couronne: offre et s'oblige, tant pour elle, que pour ses directeurs et associez solidairement, d'introduire dans les dites Indes Occidentales appartenantes à sa Majesté Catholique, pendant le temps et espace de dix années qui commenceront au premier Mai de l'année prochaine 1702, et finiront à pareil jour de l'année 1712, quarante huit mille nègres pièces d'Inde, des deux sexes et de tous âges, lesquels ne seront point tirez des pays de Guinée, qu'on nomme Minas et Cap-Vert, attendu que les nègres des dits pays ne sont pas propres pour les dites Indes Occidentales; c'est à-dire, quatre mille huit cens nègres chaque année."—Actes, Mémoires, et autres Pièces Authentiques concernant la Paix d'Utrecht, ii. 123-125.

was to enter into possession. The *Assiento* was the object of a preliminary negotiation between France and Britain, and as a condition of treating for peace, it was conveyed by France to Britain in a separate treaty. Had the doctrine, so often asserted in later times, that Britain gained nothing by the Treaty of Utrecht, been maintained in the days of Bolingbroke and Oxford, they could have triumphantly pointed to the *Assiento*, bringing to the nation its vast lucrative traffic. It was peculiarly suited to Britain as the greatest of naval Powers. Spain must have the negroes, and Britain with her fleet could bring them to the Spanish colonies of South America with far more ease, and consequently far more profit, than any other Power. On the 26th of March 1713, by a separate treaty of forty-two clauses, France resigned the *Assiento*, and Spain conveyed it to Britain for thirty years, with, at the end of this period, possession for three years for the purpose of winding up the affairs of the traffic.¹ The obligation on the part of Britain was to supply 4800 negroes annually.²

¹ "Traité de l'Assiento. Conclu entre leurs Majestez Britannique et Catholique, par lequel la Compagnie Angloise s'oblige à fournir aux Espagnols, aux Indes Occidentales, des esclaves nègres, pendant le terme de trente ans, à compter du premier jour de Mai de la présente année 1713, jusques au même jour de l'an 1743."—*Ibid.*, v. 72.

² The following are the leading clauses:—

"I. En premier lieu, pour procurer par ce moyen, mutuellement et reciproquement l'avantage des souverains et des sujets des deux couronnes, sa Majesté de la Grande Bretagne offre et s'oblige, pour les personnes qu'elle nommera et autorisera pour cet effet, de faire transporter aux Indes Occidentales de l'Amerique, appartenant à sa Majesté Catholique à commencer du premier jour de Mai 1713, jusques au même jour de l'année 1743, le nombre de cent quarante quatre mille nègres, piezas de India, des deux sexes et de tous les âges, sur le piéd de quatre mille huit cent nègres piezas de India par an, pendant le cours des dites trente années, à condition, que les personnes, qui se

The "company of merchants of Great Britain trading to the South Seas and the other parts of America, and for encouraging the fishery," came into active life on the 7th day of September in the year 1711. Lord Oxford was governor of the company,

transporteront aux Indes Occidentales pour travailler aux affaires de l'assiento, se garderont de rien faire qui puisse offenser ; car en ce cas, ils seroient poursuivis en justice, et punis de la même manière, qu'ils l'auroient été en Espagne, supposé qu'une faute de la même nature y eut été commise.

"II. Que les assientistes, ou la Compagnie de l'Assiento, payera de chaque négre, pieza de India, suivant le modèle régulier de sept quatriers n'étant ni vieux ni de défectueux, selon ce qui a été pratiqué et établi jusques à present aux Indes, la somme de trente-trois pièces de huit, Escudos, et la troisième partie d'une pièce de huit, en y comprenant tous les droits d'Alcavala, de siza, d'union de armas, de Boqueron, ou aucun autre droit, de telle nature qu'il puisse être, d'entrée ou de régle, qui sont ou qui pourroient être imposez à l'avenir, appartenant à sa Majesté Catholique, en sorte qu'on ne pourra rien exiger au de là. Et au cas, que les gouverneurs, officiers royaux ou autres ministres en prissent d'avantage, on en tiendra compte aux assientistes et cela sera rabattu sur les droits des 33 pièces de huit et un tiers susmentionnez, qu'ils doivent payer à sa Majesté Catholique, la chose étant prouvée par un certificat authentique, qui ne pourra être refuse par un notaire public, à la requisition des assientistes. Et pour cet effet on sera publier un ordre ou une cédule générale, dont la teneur sera la plus ample qu'il se pourra.

"III. Que les dits assientistes avanceront à sa Majesté Catholique, pour suppléer, aux besoins pressans de la couronne, la somme de deux cent mille pièces de huit ou Escudos, en deux payemens égaux, de cent mille pièces de huit chacun, dont le premier se sera deux mois après, que sa Majesté aura approuvé et signé cet assiento ; et le second au bout de deux autres mois, après le premier payement ; et cette somme ainsi avancée ne sera remboursée qu'après le terme échu des vingt premières années de cet assiento, et alors on pourra la déduire par portions égales, pendant les dix années restantes, sur le piéd de vingt mille pièces de huit par an, qu'on rabattra sur les droits imposez sur les négres, payables pendant le cours de ces années là." — Actes, Mémoires, &c., v. 74-77.

"XLI. Que tout le contenu du présent contract, et des conditions qui y sont inferées, comme aussi de tout ce qui y sera joint ou en dépendra, sera accompli et exécuté avec sincérité et exactitude, en sorte qu'il ne s'y trouve aucun obstacle, sous quelque pretexte, cause ou motif que ce soit. Et pour cet effet sa Majesté doit suspendre, comme elle sus-

and St John and the Chancellor of the Exchequer, Benson, were active directors. It thus naturally became a state affair, and early in its career St John has to intimate that, "for the public good of the nation and the particular advantage of this com-

pend par cet article, toutes les loix, ordonnances, proclamations, privilèges, établissemens, usages et coutumes, qui y sont contraires, dans tous les ports, lieux et provinces de l'Amerique appartenant à sa Majesté, ou elles pourroient subsister, pendant le terme de trente ans, que cet assiento doit avoir lieu, outre les trois années accordées aux assientistes pour retirer leurs effets, et ajuster leurs comptes, comme il a déjà été dit. Cependant ces loix là etc., doivent demeurer en pleine force et vigueur, dans tous les cas qui n'auront point de rapport à ce contract, et dans tous les tems à venir, après l'expiration de ses trente-trois années." — Actes, Mémoires, &c., v. 130, 131.

Among the obligations for working the contract harmoniously are the following :—

"XVIII. Qu'à compter du premier jour de Mai de la presente année 1713, jusques à ce qu'ils aient pris possession de l'assiento ni après qu'ils l'aurent prise il ne sera plus permis à la Compagnie Française de Guinée, ou à qui que ce soit de transporter des esclaves négres aux Indes : Et au cas qu'ils le fissent, sa Majesté Catholique les déclarera, comme elle les déclare par cet article, confisquez en faveur et à l'avantage des assientistes, qui en prendront possession en payant les droits des négres introduits ainsi contre cet article, et le règlement établi par ce contract. Et pour cet effet, aussi tôt qu'il sera signé on dépêchera, de la manière la plus ample, des ordres circulaires en Amerique, pour empêcher qu'on n'y admette aucuns négres dans les ports, sur le compte de la Compagnie Française, et la même chose sera notifiée à leur agent. Et afin que ceci soit plus effectuel et plus avantageux au revenu royal, on est convenu, que lors que les assientistes seront informés qu'aucun vaisseau chargé de négres, ne leur appartenant pas, sera arrivé sur les côtes, ou entré dans aucun port, il leur sera permis d'équiper, d'armer et de mettre en mer immédiatement les vaisseaux qu'ils auront en propre, ou aucuns de ceux de sa Majesté Catholique ou de ses sujets, avec lesquels ils conviendront de prendre, de saisir, et confisquer de pareils vaisseaux et leurs négres, de telle nation qu'ils puissent être, et à quelques personnes qu'ils puissent appartenir. Pour cet effet les dits assientistes et leurs facteurs auront la liberté de prendre connoissance, et de visiter tous les vaisseaux qui arriveront sur les côtes des Indes, ou dans ses ports, et dans lesquels ils auront lieu de croire ou de soupçonner qu'il y anra des négres de contrebande ; bien entendu, que pour faire de pareilles recherches, et autres procédures comme dessus, il faudra qu'ils en aient premièrement la permission des gouv-

pany, her Majesty has been pleased to assist them with a sufficient force in order to their making a settlement in the South Seas for their security and better carrying out the trade to those parts;" and the company immediately press upon the Government "the getting ready the sea and land forces which are to go with the company's ships in their intended voyage." They had immediate diplomacy and contest with the Royal African Company about the monopoly of the supply of negroes, and they take

erneurs, aux quels ils communiqueront ce qui se passera, et les prieront d'y interposer leur autorité; mais il faudra, que la paix soit proclamée avant que ceci puisse se faire, ou que cet assiento ait lieu.

"XIX. Que les dits assientistes, leurs facteurs et agents auront la liberté de naviger et de transporter leurs esclaves nègres, selon leur contract dans les ports septentrionaux des Indes Occidentales de sa Majesté Catholique, sans en excepter la Rivière de Plata; avec défense à tous autres, soit sujets de la couronne ou étrangers, d'y transporter ou introduire aucuns nègres, sous les peines établies par les loix faites pour ce contract de commerce: De plus, sa Majesté Catholique, s'oblige en soi et parole de roi de maintenir les dits assientistes dans la pleine et entière possession de tous ces articles, et de les faire exécuter, pendant le terme dont on est convenu, sans permettre ou conniver à quoi que ce puisse être, qui soit contraire à leur ponctuelle et exacte exécution, sa Majesté en faisant sa propre affaire; bien entendu qu'ils ne transporteront pas, ni dans la dite Rivière de Plata ni à Buenos Ayres, au dessus de douze cent piezas de nègres accordez, par le 8 article de ce traité.

"XX. Qu'au cas, que les dits assientistes fussent troublez dans l'exécution de cet assiento, ou que l'on s'opposât à leur trafic ou à leurs privilèges par des procès, ou de quelqu'autre manière, sa Majesté Catholique déclare qu'elle s'en réservera la connoissance uniquement, et de tous les procès, qu'on pourroit leur susciter à cet égard, avec défense à tous les juges, quels qu'ils puissent être, d'examiner et de prendre connoissance des causes, procès, omissions ou fautes, qui pourroient se commettre dans l'exécution de cet assiento.

"XXI. Que lors que les vaisseaux des dits assientistes arriveront dans les ports des Indes avec leurs cargaisons de nègres, les capitaines des dits vaisseaux seront obligez de certifier, qu'il n'y a aucun mal contagieux sur leur bord, afin d'obtenir des gouverneurs et officiers royaux la permission d'entrer dans les dits ports n'y pouvant être admis sans de pareils certificats."—Actes, Mémoires, &c., v. 98-103.

credit for generosity in the terms accepted by them, seeing "this company believe they might on more reasonable terms have provided their negroes themselves on the coast of Africa and at Jamaica." And soon after they are in a difficulty about a delay in the delivery of 4800 negroes, in consequence of the brief intimation of the demand, and on the 19th of July 1714 they express their gratitude that "further proof of your Majesty's goodness and favourable intentions towards them, to encourage to the utmost a vigorous prosecution of the Assiento trade, your Majesty has graciously resolved to grant to this company that fourth part which by the Assiento you had reserved to yourself."

The method of conducting the business was to convey the negroes in the first instance to the English possession of Jamaica. Their escape seems to have been frequent, and it was found that to sell the uncaught runaway for what he might bring, paid better than attempting to recover him.¹

Here is an instruction indicating the company's method of transacting business.

COMMISSION TO COMMANDER OF VESSEL FOR ASSIENTO.

"To sail from London to the coast of Africa, and from thence, with 280 negroes or thereabout, to proceed for Carthagena or any of the ports of the Spanish dominions on the north side of America, pursuant to the contract made between the Queen of Great Britain and his Catholic Majesty, signed at Madrid the 26th of March 1713, for

¹ "By the practice of picking out the refugee negroes and recovering them, much money was lost; therefore the best way is to take them out and sell them for what can be obtained for them, there being several persons on the island who drive that trade."—Ibid.

carrying on the assiento trade for the furnishing negroes to the Spanish West Indies. Wherefore we recommend him, the said Captain Jolgand, or his successor, in his ship the S. Mark, all his men, and the said 280 negroes, or so many of them as shall be living, in any of the said ports, and during his stay there, to the protection of the generals and governors of his said Catholic Majesty, and to request from them the admission of the aforesaid negroes for sale according to the articles of the assiento."¹

Instructions for Selection.

"You are desired to inquire carefully into the ages and quality of the negroes, whether they are conformable to the agreement made with the Royal African Company by which they are obliged to load none but sound, healthy, and mercantable negroes, two-thirds of which at least are to be males, and none to be under ten years or exceed forty years old; and nine parts in ten are to be from the age of sixteen years to forty."²

Looking backwards with the light of the prevalent opinions of the present day, it is surely instructive in social progress, to find "lofty, pensive St John" who was to "arise"

"And leave all meaner things
To low ambition and the pride of kings,"

arranging work of this kind along with that fellow-statesman who gained renown as a munificent and zealous promoter of high art and solid learning. It was not, however, for hunting and selling negroes that, by the most illustrious English clergyman of the age, they were both denounced before God as "a

¹ Minutes of Committee of Correspondence. — Brit. Mus. MSS., 25550.

² Minutes of Committee.

couple of scoundrels," but for lack of discrimination in the selection of a bishop.

Had a horror of the slave-trade as of a crime been the companion of the amount of superstition lingering in that age, it would probably have been demonstrated how the wild storm of greedy speculation that extinguished the South Sea Scheme was a just judgment on the iniquitous traffic that tempted it into existence. But we have a more satisfactory if not so complete a sequence of cause and effect in these things, in finding that the defects and vices that show themselves in great oppressions by race on race or class on class, contain within themselves the elements of fatal retribution. The injustices of the great empire and the inevitable reaction are beautifully typified in Byron's dying gladiator. The great French Revolution—or rather the reactionary convulsion that swept the continent of Europe—has been too often told and sung by men of genius for one voice to be heard over the others. But surely it is like a resuscitation of the old idea of the Vates Sacer, when we recall the echoes of a voice beyond the Atlantic crying out to his countrymen—

"There is a poor blind Samson in this land,
Shorn of his strength and bound in bonds of steel,
Who may in some grim revel raise his hand
And shake the pillars of this commonweal."

And remembering what has passed since this was said, and associating it with the glimpses we have of what we could do without any sense of guilt or shame in the early part of last century, we may well be thankful for the wisdom and courage that inspired

such men as Clarkson, Zachary Macaulay, and Wilberforce.

Besides the death that withdrew the Archduke from the contest for the throne of Spain, other royal deaths, changing the objects in whose name the great political game was conducted, may be grouped together, that we may be prepared for the conclusion. We have seen how Prince George of Denmark died under conditions that rendered his silent departure less troublesome than his abiding at his post might have been.

In the year 1711 Louis the Dauphin died, making one of the blanks in history that is felt when a royal youth of whom all the world has held high expectations drops away before his opportunity comes. In the year 1712 his eldest son, the Duke of Burgundy, died also, leaving as heir to the throne of France that infant grandson of Louis XIV. who afterwards became Louis XV. France, then intensely loyal, was disturbed and grieved through all nerves of popular feeling by these events; but they might possibly carry home even weightier cause of alarm to the rest of Europe, and especially to Britain. If, instead of living to be Louis XV., that infant also had died, the great critical juncture would have come when the dominions of the French Crown and of the Spanish Crown were by the supreme law of divine right brought under the one representative of the house of Bourbon.

On the 8th of June 1713, the Princess Sophia died suddenly. She was in her eighty-fourth year. It is a testimony to the firm and pacific hold taken

by the Hanover succession, that its transference from an aged woman to an experienced warrior in his fifty-fourth year was not very ardently hailed as a propitious event. An Order in Council made an alteration in the Prayer-book of the Church of England, by leaving out the words "the Princess Sophia," and inserting the words "Duke of Brunswick." There was a desire that the Elector George should enter the dominions he was to inherit, were it but to take his place in the House of Lords; but the queen having the nervous dislike to his coming that some people have to beholding a probable successor, the project dropped.

On the 14th of May, Swift sent this account of affairs at Court to Lord Peterborough:—

"I was told, the other day, of an answer you made to somebody abroad, who inquired of you the state and dispositions of our Court—'That you could not tell, for you had been out of England a fortnight.' In your letter you mention the world of the moon, and apply it to England; but the moon changes but once in four weeks.

"By both these instances, it appears you have a better opinion of our steadiness than we deserve; for I do not remember, since you left us, that we have continued above four days in the same view, or four minutes with any manner of concert. I assure you, my lord, for the concern I have for the common cause, with relation to affairs both at home and abroad, and from the personal love I bear to our friends in power, I never led a life so thoroughly uneasy as I do at present. Our situation is so bad that our enemies could not, without abundance of invention and ability, have

placed us so ill, if we had left it entirely to their management. For my own part, my head turns round; and after every conversation I come away just one degree worse informed than I went. I am glad, for the honour of our nation, to find, by your excellency's letter, that some other Courts have a share of frenzy, though not equal, nor of the same nature, with ours. The height of honest men's wishes at present is to rub on this session; after which nobody has the impudence to expect that we shall not immediately fall to pieces: nor is anything I write the least secret, even to a Whig footman."¹

Meanwhile, the critical day, when all persons of political influence in Britain must declare themselves, was steadily approaching in the gradual breaking up of the queen's health. Her absence from a great State procession, and other solemnities and jubulations, held on the 7th of July 1713, in commemoration of the treaty of peace, proclaimed her infirmity; and it was but a temporary revival when she appeared on the 16th to prorogue the Parliament.

Ten days later the queen had to withdraw for the second time a Treasurer's staff. On the 27th of July, Swift, desirous not to return to dreary Ireland, but to have licence to remain a few days in the centre of a historical crisis, received a letter from his friend Harley, saying: "Though I have had no power since July 25, 1713, I believe now, as a private man, I may prevail to renew your licence of absence, conditionally you will be present with me; for to-morrow morning I shall be a private person."² Swift received a letter,

¹ Swift's Works, x. 379, 380.

² Ibid., 436.

dated on the same day, from his friend Erasmus Lewis: "It is not the going out but the manner that enrages me. The queen has told all the reasons of her parting with him—viz., 'that he neglected all business; that he was seldom to be understood; that, when he did explain himself, she could not depend upon the truth of what he said; that he never came to her at the time she appointed; that he often came drunk; lastly, to crown all, he behaved himself toward her with bad manners, indecency, and disrespect.' Pudet hæc opprobria nobis, &c.

"I am distracted with the thoughts of this, and the pride of the conqueror. I would give the world I could go out of town to-morrow; but the secretary says I must not go till he returns, which will not be till the 16th of August, or perhaps the 23d; but I am in hopes I may go toward Bath the 16th.

"The runners are already employed to go to all the coffee-houses. They rail to the pit of hell. I am ready to burst for want of vent.

"The stick is yet in his hand, because they cannot agree who shall be the new commissioners.

"We suppose the blow will be given to-night or to-morrow morning. The sterility of good and able men is incredible

"When the matter is over, I will wait upon our she-friend."¹

The she-friend is our old friend Abigail, the supplanter of the great duchess; and as, from the way she is sometimes spoken of, people might be led to doubt whether she was capable of writing a grammatical letter, the opportunity may be taken to let

¹ Swift's Works, x. 436.

her answer that question. Whatever plotting there had been between Harley and her, had evidently come to a disastrous end.

From LADY MASHAM.

"*July 29, 1714.*

"MY GOOD FRIEND,—I own it looks unkind in me not to thank you, in all this time, for your sincere kind letter; but I was resolved to stay till I could tell you the queen had got so far the better of the dragon as to take her power out of his hands.

"He has been the most ungrateful man to her, and to all his best friends, that ever was born.

"I cannot have so much time now to write all my mind, because my dear mistress is not well; and I think I may lay her illness to the charge of the Treasurer, who, for three weeks together, was teasing and vexing her without intermission! And she could not get rid of him till Tuesday last. I must put you in mind of one passage in your letter to me, which is, 'I pray God send you wise and faithful friends to advise you at this time, when there are so great difficulties to struggle with.'

"That is very plain and true; therefore, will you, who have gone through so much, and taken more pains than anybody, and given wise advice (if that wretched man had sense enough and honesty to have taken it)—I say, will you leave us and go into Ireland? No; it is impossible: your goodness is still the same; your charity and compassion for this poor lady, who has been barbarously used, would not let you do it.

"I know you take delight to help the distressed;

and there cannot be a greater object than this good lady, who deserves pity. Pray, dear friend, stay here; and do not believe us all alike to throw away good advice, and despise everybody's understanding but their own. I could say a great deal upon the subject, but I must go to her, for she is not well. This comes to you by a safe hand, so that neither of us need be in any pain about it.

"My lord and brother are in the country. My sister and girls are your humble servants."¹

Swift was then due at his deanery in Ireland, and had applied, as we have seen, to his old friend Harley for a postponement of the execution of the sentence. He got what follows in the answer already cited. It shows that, if not exactly with dignity, Harley took his humiliation in good humour.

"If I tell my dear friend the value I put upon his undeserved friendship, it will look like suspecting you or myself.

"When I have settled my domestic affairs here, I go to Wimple, and hence alone to Herefordshire. If I have not tired you *tête-à-tête*, fling away so much time upon one who loves you. And I believe, in the mass of souls, ours were placed near each other.

"I send you an imitation of Dryden, as I went to Kensington:

'To serve with love,
And shed your blood,
Approved is above.
But here below,
Th' examples show,
'Tis fatal to be good.'"²

¹ Swift's Works, x. 438, 439.

² *Ibid.*, 435, 436.

On the 30th of July, when it was clear that the queen had not many hours to live, there was a memorable Cabinet meeting. Whatever it revealed at the time, it proved to all who have looked in later times to what occurred, that however Bolingbroke might have committed himself to opinions or even to promises, he had not made arrangements for welcoming the Pretender as king. As on the occasion of King William's death, the meeting was in Kensington Palace. The meeting was joined by two Privy Councillors of high rank, who were not in the Cabinet, and were not summoned to the meeting—the Duke of Argyle and the Duke of Somerset. If they were unwelcome, conscience had made cowards of the others, and they were permitted to carry the chief business of the day by recommending a successor to Harley. They suggested that the Duke of Shrewsbury should be recommended to the office; and it was announced that the queen was able to transfer the staff to him.

Instructions were issued to the governors of fortresses each to take effectual care of the fort and garrison under his command, to prevent any surprise or attempt that might be made against the peace of the kingdom. An instruction to communicate, in the same terms of warning, with the Provost of Edinburgh, was, by a strange selection, confided to the Earl of Mar. It was resolved that "greater strength should be immediately added to the security of the Tower;" and instruction was given to supply ammunition sufficient for twenty rounds.

The Minute announces that this morning at ten

o'clock "the queen had been taken dangerously ill." She lived through the next day; and at seven o'clock of the morning of the 1st of August she died.¹

¹ Minutes of Privy Council MS. The Councillors minuted as present are—the Chancellor (Sir Simon Harcourt); the Dukes of Buckingham, Somerset, Northumberland, Ormond, Argyle, and Grafton; the Lords Rochester, Mar, Loudoun, Findlater, Portmore, Bolingbroke, Lexington, Guernsey, Lansdowne, and Bingley; the Bishop of London, the Chancellor of the Exchequer, the Vice-Chamberlain, and Mr Boyle.

CHAPTER XX.

Intellectual Progress.

THE LITERATURE POPULAR WITHIN THE PERIOD—THE AUTHORS OF THE PERIOD: POPE, ADDISON, SWIFT, DEFOE, TOM BROWN, NED WARD, GAY, PARNELL—THE PERIODICAL PRESS—MALIGNITIES—DEFICIENCY OF VERNACULAR LITERATURE IN SCOTLAND, AND THE CAUSE—DEPRESSION OF PICTORIAL ART: YOUNG HOGARTH—ARCHITECTURE—TRIUMPH OF SCIENCE: NEWTON.

IT is not intended here to offer to the reader either an epitome or a history of all the literature written and published during the reign of Queen Anne. The object in view will be achieved if a few casual touches shall bring up the books that had their chief influence on the mind of the period; and we may probably find that books not written or published during the period had an influence on its intellectual growth and state worthy of commemoration. The writings of Pope, Addison, Arbuthnot, and Steele, with a large portion of the multitudinous works, small and great, contributed by Defoe, are among the living literature of the present age, and it would be a discourtesy to suppose that any reader requires to be informed about them. There are people who can remember that an acquaintance with the 'Spectator' was a quality in the possession of all young persons whose education

was not neglected; and questions arising out of the characters there described, or the opinions uttered, were perhaps the most plentiful stock-in-trade of the youthful debating societies of the generation now drawing to a close.

In recording the active history of a period, one must in some measure touch on the intellectual nature and phenomena that influenced that action. Of the polemical literature of the age, there has been something said in the chapter on "The Religious World," and more in the account of "The Sacheverell Commotions." An acquaintance is made with the literature of politics in the same manner through the record of political events—as, for instance, in the the Aylesbury Election question. In commemorating the services to our country, contributed by the French refugees, the great History of Rapin de Thoyras, continued by Tindal, demanded a considerable share of notice; and this could not be given sufficiently without some account of the state of the historical literature of Britain, both as to the materials it presented to the refugee, and the use he made of them.

No book written and published within the reign had so much interest for it and influence over it, as one that was raised as it were from the literary tomb wherein it lay buried. In 1702 came forth the first of the three folio volumes containing 'The History of the Rebellion and Civil War in England, begun in the year 1631, with the precedent passages and actions that contributed thereunto, and the happy end and conclusion thereof by the King's blessed restoration and return upon the 29th of May in the year 1660; written by the Right Honourable

Edmund, Earl of Clarendon, late Lord High Chancellor of England.' There was much excited expectation as each volume was passing through the press. Calamy was then in the preparation of his abridgment of Baxter's History of his Own Life, surveying the same historical ground from the opposite side, and betrays his burning curiosity to know something of the contents of the book gradually coming to life in the recesses of the theatre at Oxford. "Happening," he says, "to go down as far as Newbury with some friends who were travelling to the Bath, I turned off to Oxford, designing to keep myself as private there as I was able. I took up my lodging at an inn where I was wholly unknown, kept out of sight of my acquaintance, both in the town and university, and went the next morning early to a coffee-house near the theatre, where I was a perfect stranger, and inquired whether any person that worked in the printing-press under the theatre frequented the house." The virtue of the man first attempted was triumphant, but Calamy's purpose was not to be baffled. He set himself to discover "a workman among those in the theatre whose circumstances were low and strait, and who found it hard to maintain his wife and children, and to keep the wolf, as we say, from the door." His perseverance was successful in securing the co-operation of "a Dutchman that was a daily workman at the press there, whose straits were great." Calamy was naturally suspected of intention to commit literary piracy. Hence he had to explain his motives; and as his motives, even by his own account, have somewhat of a furtive taint, it may be justice even here

to give the explanation in his own words to his accomplice. "I gave him to understand I was no bookseller, but was desirous to see what of Lord Clarendon's work was printed, if I could compare it, because I had a historical work that was just ready for the press, relating to the very times which my lord gave an account of, and therefore should be confirmed if I found Lord Clarendon's account of particulars agreed with mine; whereas, if I found a clashing in anything material, it would be requisite for me to provide myself with vouchers—the best I could get—in order to my support."¹

There were two classical mottoes on the face of the history. The one was from Thucydides, announcing the history to be a gift for all time; the other was from Cicero, declaring, as if from the author, that what was false he did not dare to tell, and what was true he did not dare to evade telling. There was a pledge in the preface, that as the author had told the truth, so, agreeable or not to persons who might be concerned, it should pass unaltered to the world. "We are not ignorant that there are accounts contained in this following history of some eminent persons of those times that do not agree with the relations we have met with of the same persons published in other authors. But, besides that they who put forth the history dare not take upon them to make any alterations in a work of this kind, solemnly left them to be published—whenever it should be published—as delivered to them, they cannot but think the world will generally be of opinion that others may as likely have

¹ Historical Account of my Own Life, by Edmund Calamy, D.D., i. 443-446.

been mistaken in the grounds and informations they have gone upon as our author."¹

If this is to be taken as an announcement that the book was printed *verbatim* from Clarendon's manuscript, we now know, from the many alterations upon the older editions necessary to restore the reading of the original manuscript, that the deviations had been numerous, and some of them so emphatic as to make grave distortions on the story as Clarendon told it. For instance, in the following passage, the words printed in italics are not to be found in the edition of Clarendon accessible to those readers in Queen Anne's time who were curious about the inner secrets of the transactions in the great civil war. Montrose had been the most eager of all the champions of the Covenant, "but now, after his Majesty's arrival in Scotland, by the introduction of Mr William Murray of the bedchamber, he came privately to the king, and informed him of many particulars from the beginning of the Rebellion, and *that the Marquis of Hamilton was no less faulty and false towards his Majesty than Argyle*, and offered to *make proof of all in the Parliament*, but rather desired to *kill them both*, which he frankly undertook to do; but the king, abhorring that expedient, for his own security advised *that the proof might be prepared for the Parliament*. When suddenly, on a Sunday morning, the city of Edinburgh was in arms, and Hamilton and Argyle both gone out of the town to their own houses, where they stood upon their guards, declaring publicly *that they had withdrawn themselves, because they knew that there was a design to assassinate them*;

¹ Preface, p. ii, edit. 1705.

and chose rather to absent themselves, than, by standing upon their defence in Edinburgh—which they could well have done—to hazard the public peace and the security of the Parliament, which thundered on their behalf.

"The committee at Edinburgh despatched away an express to London, with a dark and perplexed account, in the morning, that the two lords had left the city."¹

Throughout the reign of Queen Anne a strong desire becomes manifest to honour genius and learning, and especially to reward the possessors of these by admission into the circles of rank and fashion. The good intention, however, did not adapt itself with ease and simplicity. It lifted a few men to heights far away from the region of those who had been their social equals, who had perhaps as much ability as their more fortunate competitors for fame, but had not so well adapted themselves to the fashion of the times. Swift, looking with a slight touch at Addison's easy stride onward, remarks to Stella his belief that he could become a king if he chose. His wife, the Countess of Warwick, might be said to have been given to him as a reward. It was a mistake, and gave satisfaction to neither of the parties, though perhaps it was of service in teaching to the world the lesson that if, in wedded life, community of taste is desirable, the natural rise of the indissoluble

¹ Book iv., edition Oxford, at the University Press, 1843. "ADVERTISEMENT.—In this edition, the original manuscript of the noble author, deposited in the Bodleian Library, has been followed throughout, the suppressed passages have been restored, and the interpolations made by the first editor have been rejected. The public, therefore, are now in possession of the genuine text of this important work."

union out of a community of social conditions is still more desirable.

The poor poet on a visit to any of the great mansions might have his scholarly communion of topics with my lord; but the great ladies overawed him, and he was fluttered by the host of lackeys. If the peer was to meet the man of genius on equal terms, it must be in some unsightly and unsavoury place of public entertainment, such as "The Devil's Tavern" near Temple Bar, where Addison and Swift enjoyed themselves. There was social deficiency in that age, afterwards in some measure remedied by the club system, so well exemplified in the Athenæum in its aggregation of eminences of every kind. We shall presently see that Swift, when he dines among lords, is sure to announce the great event to Stella, describing all the courtesies and compliments bestowed on him, and announcing his utter indifference to the whole. Pope gave a louder utterance to his social triumphs in his own sonorous verse—

"To *virtue only* and her *friends a friend*,
The world beside may murmur, or commend.
Know, all the distant din that world can keep,
Rolls o'er my grotto, and but soothes my sleep.
There, my retreat the best companions grace,
Chiefs out of war, and statesmen out of place.
There St John mingles with my friendly bowl
The feast of reason and the flow of soul:
And he, whose lightning pierc'd th' Iberian lines,
Now forms my quincunx, and now ranks my vines,
Or tames the genius of the stubborn plain,
Almost as quickly as he conquered Spain.

Envy must own I live among the great,
No pimp of pleasure, and no spy of state.
With eyes that pry not, tongue that ne'er repeats,
Fond to spread friendships, but to cover heats;

To help who want, to forward who excel;
This, all who know me, know—who love me, tell;
And, who unknown defame me, let them be
Scribblers or peers, alike are *Mob* to me."¹

Within our period Pope had published his "Pastorals," the "Essay on Criticism," and "The Rape of the Lock." He attributed his affection for Homer in a boyish admiration of Ogilvy's translation, at the time when, describing his rambles in literature, he says, "I followed everywhere as my fancy led me, and was like a boy gathering flowers in the fields and woods, just as they fell in his way." While yet at school he prepared a theatrical piece—charade or play—with speeches translated by him from the *Iliad*; and it was acted by himself and his school-fellows. At the conclusion of our proper period he was busily attending to the printing of "The *Iliad* of Homer, translated from the Greek, by Alexander Pope, Esq."

Pope's translations of the Homeric poems are achievements not only unmatched but unapproached. His thorough command over his native tongue gave him an active sense of its capacities and its deficiencies, and therefore he took the two narratives, each with all its parts and their sequence, but he told the two stories in his own way. Passing his early youth in a heroic period, when the bells pealed at short intervals for victory after victory, he had the best of all possible opportunities for drinking in heroic sensations; and with thorough power and efficiency "he sang of battles and the breath of stormy war and violent death." His successors, professing to perform

¹ Imitations of Horace, b. ii., sat. 1.

the same work, and to do it more accurately, have in that vain effort made repeated failures. Available as the English language is in its compound qualities of potency and flexibility, it is by these mighty possessions unavailable for echoing the Greek precision. There is something in this incapacity like the impossibility of communicating the close-fitting and hard polish of mosaic-work to textile fabrics, even when the colour is separately laid upon the fabric, as in the imitation of an Etruscan pavement in wax-cloth. It is possible that we may trace the propensity for rendering the Homeric poems in an exact echo of every fact and thought to the freedom of these great epics from the intrusion of the loathsome vices that came afterwards to stain the language they are expressed in.

Our period was much enlivened by the contributions to English literature of the curiously learned and brilliantly eloquent physician, Sir Thomas Browne. The bulk of his published works were not twenty years old when our period begins, and some of them had passed on to it in the eighth or tenth edition. It was not until the year 1712 that the collection of his "posthumous works" was published, containing 'Repertorium; or, the Antiquities of the Cathedral Church of Norwich,' and some additions to what may be considered the most characteristically beautiful of his works—'Hydriotaphia: 'Urn Buriall; or, a Discourse of the Sepulchral Urnes lately found in Norfolk.' A curious inconsistency is prevalent through all the varied learning and genius of his works. No one would dream of his being guilty of a misquotation from a classical authority, or the use

of a false quantity in his Greek. But the people who had that devotion and profound veneration for the classical in his day, generally despised and avoided everything connected with the language and the taste of the rude Gothic of our ancestors. Sir Thomas Browne handled these things with such ignorance and misapplication as, had he so dealt with the most obscure of Greek authors, would have covered him with infamy. In the most famous of his books, the 'Inquiry into Common and Vulgar Errors,' he perpetrated more errors than he exposed.

There was another Thomas Brown busily writing and printing throughout our period—a genial being, who generally comes to the surface in the gossip of the day as "Tom Brown." When the two are estimated with each other, the one might be likened to a solemn organ, the other to a flute, keen and melodious. Sir Thomas avowedly dealt with learned matters, but Tom appears to have been the greater scholar of the two. He was saturated with classicalities, both Latin and Greek. He lets his reader see, with quaint innocent-like hints, that he sees some of the horrors hidden in classical literature. But he does not dwell on them as one like-minded—he rather lets it be seen that he sees it all and could enlarge on it if his taste induced or permitted him so to indulge. He has much to say about indecorums and immoralities, but he cannot be called an indecorous or immoral writer; and indeed he is apt to create surprise by the success that attends him in making the objects of his lash distinct, in language so inoffensive as he uses. He is a monument of purity if we set him beside the very reverend scorner who is believed by

the same work, and to do it more accurately, have in that vain effort made repeated failures. Available as the English language is in its compound qualities of potency and flexibility, it is by these mighty possessions unavailable for echoing the Greek precision. There is something in this incapacity like the impossibility of communicating the close-fitting and hard polish of mosaic-work to textile fabrics, even when the colour is separately laid upon the fabric, as in the imitation of an Etruscan pavement in wax-cloth. It is possible that we may trace the propensity for rendering the Homeric poems in an exact echo of every fact and thought to the freedom of these great epics from the intrusion of the loathsome vices that came afterwards to stain the language they are expressed in.

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so many to give lustre to the literature of the age. Tom Brown's wit, though not so luxurious and riotous as the other's, is often more pungent and epigrammatic. His name is little known in the present generation, and indeed is not to be found in the ordinary English biographical dictionaries. It is a reproach to such literature as we possess in this form that the best account of Brown is to be found in the French 'Biographie Générale.'¹ As the works of Tom Brown are not to be found, like those of Addison, Steele, and Arbuthnot, in every gentleman's library, it may not be amiss here to incorporate a few specimens from a kind of literature that was read with greedy interest by the educated people of Queen Anne's day.

Here is an extract from "a dialogue after Lucian's manner," called "The Saints in an Uproar."

"Enter ST GEORGE and ST CHRISTOPHER.

(ST GEORGE plucking ST CHRISTOPHER by the nose.)

"Well, insolence, I shall be even with you before I have done. Dark nights will come, and then I'll substantially thrash your jacket for you. What! such a booby as thou art, pretend to dispute the precedence with a person of my quality?"

"Pluto. Why, how now, bully royster! what's the meaning of this outrage in the face of justice?"

"St George. This overgrown beast here, an't please your Highness, has not only reflected upon my parentage, but calls my valour in question. 'Tis known to all the world that I am the doughty hero that

¹ "Brown, Thomas, surnomme Tom Brown, poëte Anglais, natif du Shropshire," &c.; after naming his chief works, "en y trouve de l'érudition et ce que les Anglais appellent *humour*."

delivered the King of Egypt's daughter, killed the dragon upon the spot, and carried off the royal virgin for my reward. To justify this truth, I need urge no other testimonies than the common signs in most towns of Europe, where I am to be seen most magnificently bestriding my steed, with the dragon under my feet.

"St Christopher. For all his bouncing and bragging, I believe your Majesty will put him strangely to his trumps, if you'll but ask him where he was born? what profession he was of? and what sort of animal it was he killed?"

"Pluto. Come hither, friend, and resolve me a question or two. Where were you born?"

"St George. Some say in Cappadocia, others in Coventry.

"Pluto. Why, truly, Coventry lies very near Cappadocia: but what a plague, can't you tell where you were born?"

"St George. And others have affirmed that Alexandria in Egypt was the place of my nativity: for my part, I cannot precisely tell where I was born; but that I was born somewhere or other I hope your Majesty has the charity to believe.

"Pluto. Most certainly; but what was thy profession?"

"St George. Some make me a great officer in the emperor's army, and others an Arian bishop and a persecutor.

"Pluto. Thou art enough to distract the greatest patience. I'll allow thee indeed not to know the place of thy birth, because children don't use to come into the world with their ink-horns and pocket-books

about them ; but the devil's in thee if thou canst not remember whether thou wert a bishop or a soldier : those two professions are not so like one another that there should be any danger of mistaking them.

"*St George*. 'Tis my misfortune that I cannot——

"*Pluto*. Come, then, under what emperor didst thou live ?

"*St George*. Some say under the Emperor Diocletian ; some——

"*Pluto*. How ! at your *somes* again ? Thou art a true original, I swear. Well, I have but one question more to ask thee. What sort of an animal was the dragon, which thou valuest thyself so much for slaying ? Had it wings, as 'tis commonly painted in the signs, or was it a reptile ?

"*St George*. Not exactly resembling it in every particular, nor yet altogether different. As for wings, I can say nothing to the matter ; for I confess I was under so great an agitation——

"*Pluto*. I understand your meaning : you were so terribly scared in the time of engagement, that you had not leisure to consider the shape of your monster. Come, come, honest friend, these shams are too gross to pass upon the world any longer ; your dragons and flying monsters won't go down at this time of day ; therefore, take my word for it, I'll take care to see thee turned out of the almanac.

"*St George*. Well, then, if 'tis my fate to be ejected out of my ancient freehold, I hope your Majesty will be so just as to make that huge two-handed fellow keep me company. I dare engage, that if you ask him the same questions you put to me, you'll find him as deficient.

"*Pluto*. Nay, I won't favour one more than another, that I assure you. (*To his officers.*) Bring up that well-shaped gentleman yonder to the bar. Well, sir, under whose reign did you live ? what occupation did you follow ? who was your father ? Come, resolve me immediately, for my time is precious.

"*St Christopher*. I lived near an arm of the sea.

"*Pluto*. Very particularly answered. And in what part of the world ? for I suppose you know there are more arms of the sea than one.

"*St Christopher*. I can't tell, an't please you.

"*Pluto*. That's honest, however : but proceed.

"*St Christopher*. I was a ferryman by my calling, if I may call that a calling which never got me a farthing ; for I was so good-natured a hackney that I used to carry folks over for nothing.

"*Pluto*. Why, how did you maintain your boat and tackle all this while ?

"*St Christopher*. I kept none, but carried the good people upon my shoulders.

"*Pluto*. A very pretty story ! And so you waded through this imaginary arm of the sea, and whipt over your customers dryshod ? Well, I shall ask you no more questions, for this has given me enough. Turn out both those fellows there, and, Mr Recorder, pray remember to expunge their names out of the calendar." [*Exeunt ST GEORGE and ST CHRISTOPHER.*]

"*Enter ST URSULA at the head of the Eleven Thousand Virgins, and ST MAURITIUS in front of the Theban Legion.*

"*Pluto*. Bless me ! what a fantastic sight is here ! What a motley chequered assembly of red coats and

waistcoateers! Sure it must be some quarrel of importance that hath put such numbers of both sexes into so great a ferment. Come, mistress (for I know you'll have the first and last word, whether I'll grant it you or no), what is the occasion of this disorder and mutiny that you have lately made in my dominions?

"*St Ursula*. Why, that furious fierce hero, Colonel Kickum, had the impudence to tell me that those ill-looking shirtless rascals lost their lives for the Christian religion. A very probable story indeed, that a pack of vermin, bred up to plundering of hedges, nimming of cloaks, rubbing out of milk-scores, and bilking of their landladies, should on the sudden be so strangely troubled with qualms of conscience as to lay down their lives; for what?—why, for their religion, forsooth! whereas I thought a soldier had no religion but his pay.

"*St Mauritius*. Very pert, Miss Termagant! And is it not altogether as probable that eleven thousand virgins should come out of a little pimping corner of Britain, when some honest gentlemen of that nation but t'other day assured me that the whole kingdom hardly affords so many at present, though 'tis ten times as populous as when the legend supposes you and your sister-trollops to have lived there.

"*St Ursula*. 'Tis some comfort to me, however, bully spitfire, that thou canst not abuse me without falling foul upon my country.

"*St Mauritius*. Now, if it would not be too great a trouble to your ladyship, I would desire you to inform the court how you and your sandy-pated companions made a shift for to cross over into France.

Swimming-girdles and cork-shoes, as I take it, were not then in fashion; and the British princes, put 'em all together, had not shipping enough to transport such an army of viragoes.

"*St Ursula*. Come, come, you're impertinent, and I won't resolve you."¹

"Letters from the Dead to the Living:"—

SCARRON TO LOUIS LE GRAND.

"All the conversation of this lower world at present runs upon you; and the devil a word we can hear in any of our coffee-houses but what his Gallic Majesty is more or less concerned in. 'Tis agreed on by all our virtuosos that, since the days of Diocletian, no prince has been so great a benefactor to Hell as yourself; and as much a master of eloquence as I was once thought to be at Paris, I want words to tell you how much you are commended here for so heroically trampling under foot the Treaty of Reswick and opening a new scene of war in your great climacteric, at which age most of the princes before you were such recreants as to think of making up their scores with heaven and leaving their neighbours in peace. But you, they say, are above such sordid precedents, and rather than Pluto should want men to people his dominions, are willing to spare him half a million of your own subjects, and that at a juncture, too, when you are not overstocked with them.

"This has gained you an universal applause in

¹ "The Works of Thomas Brown, serious and comical, in prose and verse, with his remains. In four volumes complete. The Ninth Edition, 1760."—Vol. ii. pp. 74-76.

these regions ; the three Furies sing your praises in every street ; Bellona swears there's never a prince in Christendom worth hanging besides yourself ; and Charon bustles for you in all companies : he desired me, about a week ago, to present his most humble respects to you, adding, that if it had not been for your Majesty, he, with his wife and children, must long ago have been quartered upon the parish ; for which reason he duly drinks your health every morning in a cup of cold Styx next his conscience.

"Indeed I have a double title to write to you : in the first place, as one of your dutiful though unworthy subjects, who formerly tasted of your liberality ; and secondly, as you have done me the honour to take my late wife, not only into your private embraces, but private councils. Poor fool ! I little thought she would fall to your Majesty's share when I took my last farewell of her, or that a prince that had his choice of so many thousands, would accept of my sorry leavings. And therefore, I must confess, I am apt to be a little vain as often as I reflect that the greatest monarch in the universe and I are brother-starlings, and that the eldest son of the Church and the little Scarron have fished in the same hole. Some saucy fellows have had the impudence to tell me to my face that Madame Maintenon (for so, out of respect to your Majesty, I must call her) is your lawful wife, and that you were clandestinely married to her. I took them up roundly, as they deserved, and told them I was sure it was a damned lie ; for, said I to them, if my master was married to her, as you pretend, she had broke his heart long ago, as well as she did mine ; from whence I positively concluded that

she might be your mistress, but was none of your wife.

"Last week, as I was sitting with some of my acquaintance in a public-house, after a great deal of impertinent chat about the affairs of the Milanese, and the intended siege of Mantua, the whole company fell a-talking of your Majesty, and what glorious exploits you had performed in your time. 'Why, gentlemen,' says an ill-looking rascal, who proved to be Herostratus, 'for Pluto's sake, let not the Grand Monarch run away with all your praises. I have done something memorable in my time too : 'twas I who, out of the *Gaité de Cœur*, and to perpetuate my name, fired the famous temple of the Ephesian Diana, and in two hours consumed that magnificent structure, which was two hundred years a-building ; therefore, gentlemen, lavish not away all your praises, I beseech you, upon one man, but allow others their share.' 'Why, thou diminutive inconsiderable wretch,' said I, in a great passion, to him,—'thou worthless idle loggerhead, thou pigmy in sin, thou Tom Thumb in iniquity,—how dares such a puny insect as thou art have the impudence to enter the lists with Louis le Grand ? Thou valuest thyself upon firing a church ; but how ? when the mistress of the house, who was a midwife by profession, was gone out to assist Olympias, and delivered her of Alexander the Great. 'Tis plain thou hadst not the courage to do it when the goddess was present, and upon the spot ; but what is this to what my royal master can boast of, that has destroyed a hundred and a hundred such foolish fabrics in his time, and bravely ordered them to be bombarded, when he knew the very God that made and

redeemed him had taken up His quarters in them? Therefore, turn out of the room, like a paltry insignificant villain as thou art, or I'll pick thy carcase for thee.'"¹

Two other essayists, known as Tom D'Urfey and Ned Ward, were popular in our period; but they belonged to a class of writers among whom Tom Brown was supreme, and in his writings we see what the school could achieve.

Defoe might be considered to be still so fully before the world as not to require an introduction by a historian of his period; but he was the most prolific author of that period, and we may take a glance at some items of his literature that, though forgotten now, had their influence then. We have met him casually already in "The Shortest Way with the Dissenters," and have seen how a certain easy careless unscrupulosity, aided by vivacity and power, made him a conspicuous, if not very illustrious, man. It was in his nature to consider it an excellent joke to fabric a volume of negotiations, avowedly leading to the Treaty of Utrecht, and capable, under certain conditions of likely occurrence, to rouse the public mind to excitement, if not to fury.²

The most bulky, if not the most important, of all Defoe's works is 'The Review'—a periodical publication making, when it is all put together, eight large quarto volumes. These volumes are, individually,

¹ The Works of Thomas Brown, ii. 21-23.

² "Minutes of the Negotiations of Monsr. Mesnager at the Court of England towards the close, wherein some of the most secret transactions of that time relating to the interest of the Pretender, and a clandestine separate peace, are detected and laid. Written by himself. Done out of French."

extremely rare. Collectively, there is but one copy known to exist, and that is in the British Museum. It is often said that the great public institutions that treasure up books, rarities, and works of art, have not rivals, but rather contributors, in private collectors, because in the end the collections they have laboriously made find their way to the public institutions. The possession by the British Museum, and, consequently, by the nation at large, of Defoe's 'Review' is an example of this peculiar law of supply and demand. The completion of 'The Review' was the final triumph of an indefatigable research for every scrap that had fallen from the pen of Defoe—a search conducted by Walter Wilson to enable him conscientiously to complete his 'Memoirs of the Life and Times of Daniel Defoe, containing a review of his writings and his opinions upon a variety of important matters, Civil and Ecclesiastical,' in three volumes, published in 1830.

A reason for the rarity of 'The Review' becomes obvious to any one who reads or even glances over the complete copy in the British Museum. 'The Review' found its way to the uses of waste-paper as worthless in literature. Brilliant passages are to be found in it by one who searches for them, and the conclusion naturally reached during the search is, that Defoe contributed these, and the rest was supplied by some dreary compiler. But it is awkward to hold by this theory in the face of repeated assurances that all is written by Defoe himself. There is another possible theory of the imperfections of the work. Defoe had gained a reputation that secured a wide and rapid sale for anything that bore his name. Apollo's bow

is not always bent, and the divine Homer sometimes nods. So it was that Defoe, with something like a suspension of intellectual animation, could write what is colloquially called "twaddle" as fast as his pen could be driven over the paper; and that he so wrote, and sold what he wrote, because he wanted money.

However this may be, having been provoked to accomplish a search all through his chaff for whatever grains of wheat it might contain, I here offer to the reader the result in a few disconnected *ana* :—

ECCLESIASTICAL SCANDALS.

"The Church of England will never maintain her name in the world, keep up her reputation, defend herself against the Dissenters, and stand her ground against schism and errors, till she revives her discipline, and restores the morals of her clergy.

"To hear a minister of the Church blaspheme that blessed name by which he is or pretends to be called; to see a preacher of righteousness be a belcher of oaths; a guide to salvation a defier and insulter of Heaven. 'Thou that preachest a man should not steal, dost thou steal? Thou that sayest a man should not commit adultery, dost thou commit adultery? Thou that abhorrest idols, dost thou commit sacrilege? Thou that makest thy boast of the law, through breaking the law dishonourest thou God?' —(Rom. ii. 21-23)."¹

(Story of a "famous doctor" and prebendary of St Paul's. A question was before the chapter as to the establishment of a preachingship in the parish of

¹ Review, v. 506.

St Nicholas. The majority were in its favour, and "we were in great hopes of obtaining our desire.")

"Upon which the furious doctor got up and said, 'G—d d—n them! What occasion was there for it when they might come to the cathedral?' To this it was gravely replied that the cathedral was a great way off, and up hill; the other was nearer and more convenient for the city; and that it was to be feared several of the inhabitants, rather than go so far as the cathedral, stayed at home, or contented themselves with the service without a sermon, &c. To which our pious and good doctor added, with another G—d d—n them! 'If they would not go to the cathedral, they might go to the devil,'—in which it seems as if the grave assembly acquiesced, for they broke up without coming to any other resolution in the matter."¹

HIGH CHURCH AND MAYPOLES.

"No sooner was King William dead, and the queen came to the crown, but the gentlemen of the High Church, mistaking her Majesty in this as in all the rest of her meaning, began to lay the same foundation of riotous triumph as formerly; for they looked on the queen's coming to the crown as a mere restoration: they were resolved it should restore the crime as well as the person of whom they began to value themselves on account of the line and divine right and succession. Universal revels filled their houses, and general drunkenness began to revive.

"And I appeal to common knowledge, if in the first half-year of her present Majesty, almost all the

¹ Review, v. 503.

maypoles in England were not repaired and re-edified, new painted, new hung with garlands beautified? And whether there was not more new maypoles erected than had been in twenty years before? Let any man, when he goes through a town with a fine-painted maypole, inquire when it was last repaired or set up, and I hold five to one that 'tis answered in the year 1702—I mean, take one with another.”¹

ELECTIONS.

“Wretched Englishmen!—I scorn to say Britons, for Scotland has more modesty—let me speak to the poor English and imposed-upon electors: Honest freeholders, you are come to choose Parliament-men here. Why do they give you wine? Why treat you at inns? Why set out barrels of beer for you? Why do they prompt you to drink, and, if possible, to excess? Is it that being drunk you shall know better how to choose, or worse? Is it that when your heads are muddled, you should judge better of the qualifications necessary to a representative, or worse? Is it because the liquor will quicken and sharpen your understanding, or darken and dose it?”² We esteem it one of the grossest pieces of villany for a man to make another man drunk and then get him to play. This entitles the people that practise it to the title of sharpers and setters, and mankind express a general aversion to them on all occasions. How often has the county of Surrey thrown out a certain gentleman, purely upon the occasion of his ruining an honest family that way, and carried the box and

¹ Review, ii. 330.² Ibid., vii. 332.

dice into the field as a reproach and a mark of infamy against the person on the day of an election?¹

“A word or two more about our elections. Treating, bribing, drinking, and all the corruptions of a debauched principle have been our forerunners. By these our elections are made; by these, O ye freeholders and electors of England! an interest has been made in your favour; your votes are bought with liquor, your birthrights bespoke of you in consideration of what you receive. What? Not a mess of pottage? Esau made a good bargain compared to the people of this generation. He, prompted by hunger, and at the point of fainting—tempted by his craving appetite, and blind to the blessing of his primogeniture—took the present bait, and let go the future advantage.

“But Englishmen, sordid and forsaken, abandoned of their reason, urged by no necessity and prompted by no appetite—for here the appetite is prompted by the art,—under no manner of temptation, but upon mere steps of brutality, and the most absurd folly in the world, sell their all—their laws, their properties, their posterity, their souls, and their God—and all for what? Not for a bait to nature,—a meal—meat—a restoring in excess of want which was Esau's excuse,—but, insufferable brutes! for an infection, for the plague, for the worst and most loathsome contagion.”²

MENDICANCY.

“There is no occasion of laws to find work for our poor, but of laws to make our poor work. . . .

“If all the beggars of this nation had a charter to

¹ Review, vii. 333.² Ibid., 332.

form themselves into a body, they would be the richest corporation in the kingdom.

"The disease is corroded; the leprosy is on the walls; we are possessed with the begging devil; we have poor without begging, and beggars without poverty. Strange that nature can be suppressed to so much meanness—to ask a man's charity for mere covetousness, and stoop to beg without want!

"How often have we known men that have stood with a broom in their hands to sweep a passage, and beg your alms for God's sake, leave £1000 in gold behind them? Two or three famous instances of which we have now very lately—one of which has left £3000 to a charity."¹

INDUSTRY.

"A garden is the highest improvement of land in the world. And I do affirm it, and in the consequence of these papers doubt not to prove it, that were England so full of people that all the low lands of the nation were but enough to make their gardens, and feed—home-stall, as they call it—their horses and cows, and the hills their sheep, that they could neither sow their own corn nor feed their own cattle, it would still be the richer, and be the greatest nation in the world.

"You should then need make no laws to prohibit the Irish cattle; all the world should be your breeders and feeders; all your neighbours should be your ploughmen, your hewers of wood and drawers of water; and your wealth and strength would be a prodigy like yourselves."²

¹ Review, 349, 350.

² Ibid., vi. 143.

APPROACH OF THE UNION.

"Bless'd be the day, and wing'd with joy it flies;
Foretelling augurs whisper it from the skies,
When hand in hand they shall consent to fight,
Abroad to conquer and at home unite.
England no more shall to her loss subdue,
And victim Scots the conqueror pursue;
England no more shall meanly learn to fly,
And Bannockburn shall sink in history.
Scotland no more shall banks of Trent invade,
And Flodden plains be in oblivion laid.
Unnatural war! when we retreat to view
Our ancient feuds, and match them with the new,
For what strange trifles have these nations fought!
What seas of noble blood, how cheap let out!
What monuments of slaughter still remain
On every mountain and in every plain!
When mutual animosities excite,
And big with rage the sister nations fight.

'Tis time to think. Fate summons to obey
The black accounts of every bloody day—
How all that gallant blood has been mispent.
The nation's old; 'tis high time to repent.
Britannia mourns for peace, in peace delights
And thrives, but just as fast as she unites."¹

REFLECTIONS.

"June 30, 1705.

"I believe nothing would contribute more to making us good Christians than to be able to look upon all things, causes, and persons here, with the same eyes as we do when we are just looking into eternity. Death sets all in a clear light; and when the man is, as it were, in the very boat, pushing off from the shore of the world, his last views of it, being abstracted from interests, hopes, or wishes, and in-

¹ Review, iv. 2, 3.

fluenced by the near view of the future state, must be clear, unbiassed, and impartial.

"I am moving as in like manner, to realise the pressures, miseries, and disasters of a declining confederacy; to look on ourselves in a fair way to be conquered, and to view the French as if overrunning our neighbours the Dutch, and preparing a too powerful force to invade us. . . . The French fleet upon our coasts; Dover made as Dieppe; our coasts insulted; our towns bombarded; our ships destroyed; two or three such fleets as we now expect from Lisbon taken; our ports blocked up; a French squadron riding at the Nore, and their grand fleet at St Helena, and our own fleet beaten. These things would bring us to peace; we should be all friends in an instant; and these horrid feuds and distractions would just look as ridiculous as they really are in their own nation."¹

The passage following has often been cited as an utterance by Defoe, and people have searched for it in vain in the portion of his works in general circulation. It is here given *in situ*, as the geologists say:—

"24th January 1708.

"If I might give a short hint to an impartial writer, it should be to tell him his fate. If he resolves to venture upon the dangerous precipice of telling unbiassed truth, let him proclaim war with mankind *à la mode de pays de Pole*—neither to give nor take quarter. If he tells of the crimes of great men, they fall upon him with the iron hands of the law; if he tells their virtues, when they have any—which,

¹ Review, ii. 203.

perhaps, is seldom enough true,—then the mob attacks him with slander. But if he regards truth, let him expect martyrdom on both sides, and then he may go on fearless. And this is the course I take myself."¹

"He that defends truth, and truth only, cannot be mercenary; he that does nothing but what it is his duty to do may be rewarded, but he cannot be bribed. He is a mercenary who to-day writes for one side—to-morrow for another; who to-day defends tyranny and passive obedience—to-morrow takes up arms against his prince; to-day swears to a Revolution Settlement—to-morrow defends tacking and all kinds of national extravagancies; that writes to excuse the guilty or accuse the innocent; to misrepresent, aggravate, put false glosses and false lights on some causes or some actions which will not bear a true. And wherever you find these impostors let them be brought forth to public shame; let them be detected, punished, and exposed to the utmost; and, above all, let those be employed who expose them."²

We find Defoe making the following remarks, indicative of hopes not realised, when he has reached his seventh volume:—

"Contrary to many people's hopes and some's expectations, this work is happily arrived at the end of the seventh volume, when posterity shall revise the several sheets and see what turn of times have happened to parties—what fury, what passions have reigned; how the author of this paper has treated them all and they him. It may add something to your wonder how either the writing has been

¹ Review, iv. 593.

² Ibid., iv. 594.

supported or the author left alive to show his face in the world."¹

It is characteristic of a sort of restless flightiness that catches at every passing fancy that can be put to use, to find him turn suddenly here to the practice of calling dogs by party names:—

"I remember my grandfather had a huntsman that used the same familiarity with his dogs, and he had his Roundhead and his Cavalier, his Goring and his Waller; and all the generals in both armies were hounds in his pack till, the times turning, the old gentleman was fain to scatter the pack, and make them up of more dog-like surnames."²

One is here tempted to recall what Voltaire said of Rousseau's Letters to Posterity, that they would never reach their address. If anything like a prospect of immortality dawned on 'The Review,' it must have undergone violent fluctuations, as a quotation that is to be the last on this occasion will show.

The fifth volume opens with a story of a stranger who heard a brilliant sermon, being amazed to see others of the audience, who were accustomed to the preacher, and said his story was "so long a' telling" that they hated to hear it.

"And just thus it was with 'The Review.' The people would take up the paper and read two or three lines in it, and found it related to Scotland and the Union, and throw it away. *Union, Union*, this fellow can talk of nothing but *Union*; I think he will never be done with this. *Union* has grown mighty dull of late. And yet, gentlemen, give me leave to tell you, you have hardly learnt to understand the

¹ Preface to Review, vol. vii.

² Ibid.

Union all this while. The truth of the case is this: *The story is good, but 'tis too long a' telling.* You hate a long story. The palate is glutted: novelty is the food you lust after: and if the story were of heaven you will be cloyed with the length of it." He was quite aware of it all, "yet he found this affair so necessary, so useful, and with some few good judgments so desirable, that he chose to be called dull and exhausted. He ventured the general censure of the town critics to pursue the subject."

Let us call up another mighty spirit of that age—Jonathan Swift. His "Journal to Stella," Miss Johnson—called, in the phraseology of the day, Mrs Johnson—has a fascinating interest for those who endeavour to pierce through afflictive or distressing secrets to their ultimate conclusions. Here they have been invariably baffled and disappointed. There is no intention on this occasion to follow their example; and if a touch here and there associates itself with some sad secrets, they must be held only as a variety to the curious little glimpses of the vanities and infirmities of a man endowed with mighty genius.

"Steele has had the assurance to write to me that I would engage my Lord Treasurer to keep a friend of his in an employment: I think I told you how he and Addison served me for my good offices in Steele's behalf; and I promised Lord Treasurer never to speak for either of them again."¹

"I have not seen that Lord Peterborough yet. The Duke of Shrewsbury is almost well again, and will be abroad in a day or two. What care you? There

¹ 29th June 1711.

it is; you don't care for my friends. Farewell my dearest lives and delights, I love you better than ever, if possible, as hope saved, I do, and ever will. God Almighty bless you ever, and make us happy together. I pray for this twice every day; and I hope God will hear my poor hearty prayers. Remember, if I am used ill and ungratefully, as I have formerly been, 'tis what I am prepared for, and shall not wonder at it. Yet I am now envied, and thought in high favour, and have every day numbers of considerable men teasing me to solicit for them. And the Ministry all use me perfectly well, and all that know them say they love me. Yet I can count upon nothing, nor will, but upon M.D.'s love and fondness. They think me useful; they pretend they were afraid of none but me, and that they were resolved to have me; they have often confessed this: yet all makes little impression on me."¹

"Lord Peterborough desired to see me this morning. I had not seen him before since he came home. I met Mrs Manley there, who was soliciting him to get some pension or reward for her services in the cause, by writing her 'Atalantis.'"²

"I was this day with Lord Peterborough, who is going another ramble. I believe I told you so. I dined with Lord Treasurer but cannot get him to do his own business with me. He has put me off till to-morrow."³

"21st.—I dined yesterday with Lord Treasurer, who would needs take me along with him to Windsor, although I refused him several times, having no linen, &c. I had just time to desire Lord Forbes to

¹ 29th June 1711.

² Ibid.

³ 20th July 1711.

call at my lodging, and order my man to send my things to-day to Windsor by his servant. I lay last night at the Secretary's lodgings at Windsor, and borrowed one of his shirts to go to Court in. The queen is very well. I dined with Mr Masham; and not hearing anything of my things I got Lord Winchelsea to bring me to town. Here I found that Patrick had broke open the closet to get my linen and night-gown, and sent them to Windsor, and there they are; and he, not thinking I would return so soon, is gone upon his rambles: so here I am left destitute, and forced to borrow a night-gown of my landlady, and have not a rag to put on to-morrow; faith, it gives me the spleen! . . . The Secretary and I go on Saturday to Windsor for a week. I dined with Lord Treasurer, and stayed with him till past ten. I was to-day at his levee, where I went against my custom, because I had a mind to do a good office for a gentleman; so I talked with him before my lord that he might see me; and then found occasion to recommend him this afternoon. . . .

"29th.—I was at Court and church to-day, as I was this day se'nnight. I generally am acquainted with about thirty in the drawing-room, and am so proud I make all the lords come up to me. One passes half an hour pleasant enough. We had a dunce to preach before the queen to-day, which often happens. Windsor is a delicious situation, but the town is scoundrel. I have this morning got the 'Gazette' for Ben Tooke and one Barber a printer; it will be three hundred pounds a-year between them. T'other fellow was printer of the 'Examiner,' which is now laid down. I dined with the Secretary: we were a dozen in all,

three Scotch lords, and Lord Peterborough. Duke Hamilton would needs be witty, and hold up my train as I walked up-stairs. It is an ill circumstance that on Sunday much company meet at the great tables. Lord Treasurer told at Court what I said to Mr Secretary on this occasion. The Secretary showed me his bill of fare to encourage me to dine with him. 'Poh!' said I, 'show me a bill of company, for I value not your dinner.'" ¹

"The queen was abroad to-day in order to hunt, but finding it disposed to rain, she kept in her coach. She hunts in a chaise with one horse, which she drives herself, and drives furiously like Jehu, and is a mighty Nimrod. Dingley has heard of Nimrod but not Stella, for it is in the Bible. I was to-day at Eton, which is just across the bridge, to see my Lord Kerry's son, who is at school there. Mr Secretary has given me a warrant for a buck; I can't send it to M.D. It is a sad thing, faith! considering how Presto loves M.D., and how M.D. would love Presto's venison for Presto's sake." ²

"Lord Treasurer and the Secretary thought to mortify me; for they told me 'they had been talking a great deal of me to-day to the queen, and she said she had never heard of me.' I told them 'that was their fault, not hers;' and so we laughed. I dined with the Secretary, and let him go to London at five without me." ³

"Farewell, again, dearest rogues: I am never happy but when I write or think of M.D. I have enough of Courts and Ministers." ⁴

¹ 28th and 29th July 1711.

³ 6th August 1711.

² 31st July 1711.

⁴ 25th August.

"The Whigs whisper that our new Ministry differ among themselves, and they begin to talk out Mr Secretary. They have some reasons for their whispers, although I thought it was a greater secret. I do not much like the posture of things; I always apprehended that any falling out would ruin them, and so I have told them several times." ¹

"A rogue that writes a newspaper called 'The Protestant Post-Boy,' has reflected on me in one of his papers; but the Secretary has taken him up and he shall have a squeeze extraordinary. He says that 'an ambitious Tantivy missing of his towering hopes of preferment in Ireland, is come over to vent his spleen on the late Ministry.' I'll *tantivy* him with a vengeance." ²

"I have been returning the visits of those who sent *howdees* in my sickness, particularly the Duchess of Hamilton, who came and sat with me two hours. I make bargains with all people that I dine with. to let me scrub my back against a chair; and the Duchess of Ormond was forced to bear it the other day." ³

"Parker would not have known me, if several lords on the bench, and in the court, bowing, had not turned everybody's eyes, and set them a-whispering. . . . These devils of Grub Street rogues, that write the 'Flying Post' and 'Medley' in one paper, will not be quiet. They are always mauling Lord Bolingbroke, Lord Treasurer, and me. We have the dog under prosecution, but Bolingbroke is not active enough; but I hope to swinge him. . . . I cannot keep myself private though I stole up two pairs of stairs when I

¹ 27th August 1711.

² 10th October 1711.

³ *Ibid.*, 1712.

came from Windsor; but my present man has not yet learned his lesson of denying me discreetly. The Duchess of Ormond found me out to-day and made me dine with her. . . . The Duke of Ormond will not be over these three or four days. I design to make him join with me in settling all right among our people. I have ordered the Duchess to let me have an hour with the Duke at his first coming, to give him a true state of persons and things. I believe the Duke of Shrewsbury will hardly be declared your governor; at least I think so now, but resolutions alter very often. Duke Hamilton gave me a pound of snuff to-day, admirably good. I wish M.D. had it, and Ppt. too, if she likes it. It cost me a quarter of an hour of his politics, which I was forced to hear. Lady Orkney is making me a writing-table of her own contrivance."¹

"I was to-day at Court, but kept out of Lord Treasurer's way, because I was engaged to the Duke of Ormond, where I dined, and, I think, ate and drank too much. I sat this evening with Lady Masham, who has been laying out for my acquaintance, and has forced a promise from me to drink chocolate with her in a day or two."²

The results were not always so brilliant as the expectations. It is touching to be instructed on the result of the hopes opening over twelve thousand a-year. "The Earl of Abingdon has been teasing me these three months to dine with him; and this day was appointed about a week ago, and I named my company; Lord Stawell, Colonel Disney, and Dr Arbuthnot; but the two last slipped out their necks,

¹ 29th October 1712.

² 4th February 1713.

and left Stawell and me there. We did not dine till seven, because it is Ash Wednesday. We had nothing but fish, which Lord Stawell could not eat, and got a broiled leg of a turkey. Our wine was poison; yet the puppy has twelve thousand a-year. His carps were raw, and his candles tallow. He shall not catch me in haste again, and everybody has laughed at me for dining with him."¹

What comes next is in its way curious and candid. "I dined with Sir Thomas Hanmer and his duchess. The Duke of Ormond was there, but we parted soon, and I went to Lord Pembroke for the first time; but it was to see some curious books. Lord Cholmondeley came in; but I would not talk to him, though he made many advances. I hate the scoundrel. . . . I was to-day at an auction of pictures with Pratt, and laid out two pounds five shillings for a picture of Titian, and if it were a Titian it would be worth twice as many pounds. If I am cheated, I'll part with it to Lord Masham: if it be a bargain, I'll keep it to myself. That's my conscience. But I made Pratt buy several pictures for Lord Masham. Pratt is a great *virtuoso* that way. I dined with Lord Treasurer, but made him go to Court at eight. I always tease him to be gone. I thought to have made Parnell dine with him, but he was ill; his head is out of order like mine, but more constant, poor boy! I was at Lord Treasurer's levee with the Provost to ask a book for the college. I never go to his levee unless it be to present somebody."²

The weaknesses disclosed in these passages, the fluttering vanity, the greedy desire for notice by

¹ 5th and 6th March 1713.

² 18th February 1713.

the great, with the affectation of holding it in scorn, might all be characteristics of an innocent and genial nature. But Swift's writings disclose other defects, and although they are of a nature not to be palpably discussed in an age of decorum like the present, it is scarcely just that, flagrant as he chose to make them, they should be absolutely forgotten. It is remarkable about Swift that, with all his malignity and brutality, he had it in his nature that he brought two young women, amiable, accomplished, and virtuous, to strive in rivalry for his love. It seems almost like a survival of the same fascinating influence that his genius has gained the admiration and even the sympathy of pure and scholarly natures.¹

It would be a hardy opinion to promulgate that a certain little book, written by Swift, should not be opened by any prudent person, and harder to give

¹ Among these was the late John Forster who may be said to have died in the midst of his worship, leaving 'The Life of Jonathan Swift, by John Forster; Volume the first, 1667-1711: London, 1875.' This fragment bears ample testimony of devoted industry, aided by acuteness. There is a curious discovery in it of the "little language" scattered through the "Journal to Stella." After a skilful etymology of some conglomerates of consonants that have been stumbling-blocks to others, there comes forth this revelation. "He is himself throughout PDEFR, sometimes PODEFAR and F. R., or other fragments of what may be assumed to be Poor Dear Foolish Rogue. She is Ppt, presumably Poppet, or Poor Pretty Thing; but MD, My Dear, is also for the most part her designation."—P. 408. The author of the discovery is thoroughly unconscious that he enhances the baseness of his hero by expounding the hidden words of endearment bestowed on the gentle damsel whose heart he was stealing.

Forster had the uncommon defect of being unacquainted with the great extent of his own power, and awarding undue deference to those of other people. I repeatedly told him that it was his duty to the world to go over Clarendon's ground, and give us the history of the great civil wars of the seventeenth century, instead of wasting himself on fragments too full of weighty matter for the mere sketches they professed to be.

assent to the injunction when it is found to denounce that one of his efforts which has perhaps been the oftenest cited and imitated. The small morsel of literature known as "Swift's Directions to Servants," has had, and will continue to have, irresistible attractions to the curious and inquiring. Yet it may safely be said that no one can read it without feeling that, in doing so, he has brought on himself one of the minor misfortunes of life—a something that for some indefinite time will haunt him with such horror as a nightmare-dream may inflict on the first thoughts of morning. It is not that the object of the little book is revolting, or, indeed, anything but commendable. It touches upon morals only obliquely in dealing with the smaller affairs of life; but, so far as it goes, its object is to promote virtue. The preceptor is the absolute antithesis of one wallowing in filth, physical or moral. He is a clean man lifting up his testimony against the abominations that gather around to disgust and torture him. He is jeering and scolding a filthy world with all the vehemence of his rhetoric and sarcasm. But the inexorable logic of the form of irony assumed by him, drags him and his reader through every form of the filthy and the odious that poor fallen human nature is liable to suffer under in domestic life.

It is, in fact, in the rigid exhaustion of the anti-thetic logic of his method of denunciation that he becomes revolting. He sets his fertile genius to the task of conjuring up every form of personal impurity available to the capacity of the human animal for the affliction of his fellow-man; and he follows up each one to its source with the minute diligence of a de-

tective tracing home a murder. The description of each pursuit is horribly distinct and picturesque. These qualities are given to it, not in love of what they expose, but in dire hatred of it; but for all that, the impressions left by them are strong and offensive.

In the present day, what might be called the plain-speakingness of such literature would not be tolerated; and yet we have managed to cleanse ourselves of a vast load of the impurities, whose persistent existence as a curse of mankind was the justification of the plain speaking. In fact, the object in vain pursued by plain speaking and scolding has been largely achieved by that sanitary science which is still in its strong youth. In a science there is a purity and dignity that can approach all things without contamination or the uneasy sense of the disgusting. It has long been so in the sphere of the anatomist and the physiologist. The sanitary engineer is displacing the scavenger and the night-man, and a single decisively expressed proposition in the report of some sanitary philosopher will do more in the cause of cleanliness and health than the immortal taunts of the greatest of our satirists.

Gratuitously to invoke associations painful or vile is an offence, and the offence is aggravated when genius is lent to sharpen its sting. The three elements on which the metaphysicians have exhausted all the sources of association make a very simple analysis—so simple that one might suppose their discovery a casual thought; and, indeed, when their completeness was elaborated by Hume, it was said that he might have found the whole system casually uttered by Aquinas. Contrariety is one of these; and while D'Urfey injures his readers by revelling in

filth as if he loved it, Swift evokes the other source of association called contrariety. The reader is pained to be so obdurately reminded that he is of the earth earthy. Why not leave the man with the muck-rake and go with Milton when he said, "Unto the heaven of heavens I have aspired, an earthly guest, and drunk empyreal air"? Why, to use a plebeian metaphor—why continually rub our nose in it?

The frequent use in recent times of the term æsthetic, has familiarised us with the notion that genius without good taste is void. Let us illustrate this by comparison with an author of later date, who could be as bitterly sarcastic as Swift, but, endowed with a sense of the sublime and beautiful—qualities to which Swift was blind—could discriminate that border where the ludicrous and mocking spirit should stand still. Both appeal to a statue that, even after the career of Canova and of Thorwaldsen, may claim the most illustrious place in the art of sculpture.

SWIFT.

"Apollo, god of light and wit,
Could verse inspire but seldom
writ;
Refined all metals with his looks,
As well as chemists' by their
books.
As handsome as my lady's page,
Sweet five-and-twenty was his
age;
His wig was made of sunny rays,
He crowned his youthful head
with bays;
Not all the court of Heaven could
show
So nice and so complete a beau."

BYRON.

"Or view the lord of the unerring
bow,
The god of life and poesy and
light—
The sun in human limbs arrayed,
and brow
All radiant from his triumph in
the fight.
The shaft hath just been shot, the
arrow bright
With an immortal's vengeance; in
his eye
And nostril beautiful disdain and
might
And majesty flash their full light-
nings by,
Developing in that one glance the
deity."

Passing from offences of such a nature, that even had they offended the taste of the age, would have given no individual person a right to complain of them as aimed against himself, we have others in equally abominable taste, making themselves cruel as malignant crimes committed against men and women of virtue and conduct. Conspicuous among these is the vile insinuation buried in the lines beginning—

“But what success Vanessa met
Is to the world a secret yet.”

If there was a true foundation for the inference he desired to raise, the act was one of meanness and treachery. If there was no foundation for it—and all who have had experience in their countrywomen of the higher culture will faithfully believe there was none—then for the man who uttered what he uttered, if he was truly responsible for the utterance, it would be hard to say what infliction would be too cruel as a punishment. It may be said that nothing could show more complete command over the reasoning powers. The triumph is enhanced by the clever allegory that the deities, having been tricked into the idea that the lovely infant was of the male sex, endowed it with all the powers and resources of the man, decorated with the charms, amenities, and accomplishments of the woman :—

“Then sows within her tender mind
Seed, long unknown to womankind,
For manly bosoms chiefly fit,
The seeds of knowledge, judgment, wit.

Her soul was suddenly endowed
With justice, truth, and fortitude ;
With honour which no breath can stain,
Which malice must attack in vain.”

Was the poisoning of all this by an innuendo like the filching of the good name, leaving the victim poor indeed, but naught enriching the filcher? No; the perpetrator in this instance was enriched—made rich in the enjoyment of a craving for malignity.

But was he really responsible? Was he master of his own will, to say such things or leave them unsaid? As there is a gangrene of the body that creeps onward till it reaches the vital parts and slays, so is the intellect often tainted by gangrenous spots, that may enlarge themselves, and may or may not reach that entire mortification of the intellect that justifies the adept in signing the fatal certificate, and cutting off the victim from the responsibilities and enjoyments of a rational being. They are generally stupid intellects that are assailed by the disease, but the finest intellects are not wholly exempt from it. Swift's intellect was strong in its way, but thoroughly out of proportion. Its grasp was for the grotesque and sarcastic only, and perhaps this disproportion may have some connection with the evil propensities it served. It was unfortunate that among great oracular announcements one is that great wit is to madness near allied. If it meant—which perhaps it hardly does—that men are all the more apt to be mad if they are witty, it is not true; and it has done much mischief by palliating the conceits, arrogances, and intolerances of men of meagre

ability. Take those whose fame is kindred to Swift's, but who were infinitely greater than Swift in the breadth and beauty of their genius—take Shakespeare, Scott, and Milton,—we find that genius does not of necessity break up the moral consciousness and destroy its responsibilities.

“Corinna, pride of Drury Lane,
For whom no shepherd sighs in vain,”

may be tolerated as a castigation administered to a class of beings who have ever been a festering curse in the social organisation. But one does not envy its author the hangman's duty of administering the lash, however effectively the precision of the touch and the depth of the cut testify to his consummate adroitness. There is, indeed, a mournful interest in this effort, as showing that, while the world grows and bears rich harvests of fruits and flowers, it has a dead level of brutality and viciousness remaining unchanged. For all that London has accomplished morally, physically, and æsthetically, in a hundred and fifty years, this Drury Lane interior is said to be as exact in the natural details of that part of London as it was when Swift wrote it.

But “The Progress of Beauty,” and “The Lady's Dressing-Room,” have no palliation. If we could suppose such things conceived, uttered, and listened to in the present day, every gentleman who had wife, daughter, or sister to cherish and protect, would deem the act a stinging insult,—something akin to that outrage by Candaules, that was only to be expiated by his blood, as honest Herodotus tells the story in his first book; or the more familiar offence

of Ham, expiated in the blackening and enslaving half the world.

In other shapes we see how much of what has been the felicity of thoughtful men was denied to Swift. Scenery and all the æsthetics of nature seem to have been entirely strangers, as well as all the enjoyments conferred by art. At Larocar he was surrounded by the archaic relics of the ancient Irish Church; but the only notice he has left of them is in the doggerel in which, according to Scott, he is said to have commemorated various towns and villages through which he passed on his way to Larocar. There he mentions Kells, so closely associated with the memory of St Columba, that a venerable house, perhaps the oldest dwelling-place in the United Kingdom, is called St Columba's house. He notes “Kells for an old town,” as one would speak of an old coat or an old horse—something that age had injured, not endeared or ennobled. And although the study of the early Irish Church, with its peculiar literature and architecture, is a pursuit of recent times, Dr Johnson—in whose day it was as far as it was in Swift's from the position it now holds—yet had the good taste to leave an eloquent apostrophe to Iona for Columba's sake.

It becomes interesting to find the impulsive nature of Swift's wit or fun, or whatever it may be called, attested in the dreariness of his style, when he had to restrain himself, and has been able to lay his demon for a time. This may be seen in his ‘History of the Four Last Years.’ It is throughout weak and dry to an extent seldom exemplified among the most ordinary and commonplace narrators of events. On the other side, even when handling history, he gleams

up in flashes of wit when he is chastising the small carelessnesses of Burnet.¹

The British community of our period was signally infested with spites, hatreds, and malignities, of a kind intensely aggravated, yet not of a kind naturally leading to bloodshed. The previous century had passed through fierce civil wars and bloody contests of many kinds; but in this age, when war in the field was carried across the Channel, it would almost seem as if the incapacity to quench home

¹ Passages from Swift's Notes on Burnet's 'History of His Own Time':—

BURNET.

"The Earl of Argyle was . . . grave and sober, and free of all scandalous vices."

"Upon the king's death the Scots proclaimed his son king, and sent over Sir John Winnan, *that married my grand-aunt*, to treat with him while he was in the Isle of Jersey."

"Milton affected to write in blank verse, without rhyme, and many new and rough words; yet it was esteemed the beautifullest and perfectest poem that ever was writ, at least in our language."

"The Earl of Rochester, a man of far greater parts than his brother, . . . has a very good pen, but speaks not gracefully."

"Charles II. confessed himself a Papist to the Prince of Orange, and the Prince told him he never spoke of this to any other person till after his death."

"I now come to the year 1688, which proved memorable, and produced an extraordinary unheard-of Revolution."

SWIFT.

"As a man is free of a corporation, he means."

"Was that the reason why he was sent?"

"A mistake, for it is in English."

"Pray, was this pen of gold or silver?"

"What! after his own death!"

"The devil's in that!—sure all Europe heard of it."

quarrels in blood had fostered the vile passions expended in them. It might be deemed a misfortune that the genius prostituted to its service has preserved much of the rancour of the times for criticism in the present day, were it not that all such criticism teaches us to revolt with something like horror at the specimens brought under examination, and to rejoice that our own age can be witty and censorious with scarce a particle of the depravity of the age of Pope and Swift.

Let us take, for example, a glance at Swift's "Short character of Thomas Earl of Wharton," a man eminent for his political virtues and for his personal courage, his steady support of his friends, and his active benevolence.

"He is without the sense of shame or glory as some men are without the sense of smelling; and therefore a good name to him is no more than a precious ointment would be to these. Whoever, for the sake of others, were to describe the nature of a serpent, a wolf, a crocodile, or a fox, must be understood to do it without any personal hatred for the animals themselves. Thomas, Earl of Wharton, Lord Lieutenant of Ireland, by the force of a wonderful constitution has some years passed his grand climacteric without any visible effects of old age either in his body or his mind, and in spite of a continual prostitution to those vices which usually wear out both. He seems to be but an ill dissembler and an ill liar, although they are the two talents he most practises and most values himself upon. The ends he has gained by lying appear to be more owing to the frequency than the art of them; his lies being sometimes detected in

an hour, often in a day, and always in a week. He swears solemnly he loves and will serve you; and your back is no sooner turned, but he tells those about him you are a dog and a rascal."¹ The pungency of such an anthology could be much enhanced had not the decorum of the present day banished from the pages offered to readers at large the phraseology in which the accusations are delivered.

Achievements such as Pope's attack on poor Lord Hervey, beginning, "Let Sporus tremble," are received as the efforts of a higher genius than the blunt foulness of Swift's accusations, because the poison is drawn from classic fountains; but in reality the higher excellence is only in the enhanced ferocity, cruelty, and vindictiveness of the persecution. The potent libeller who drew on genius, skill, and learning to embitter life to his victim, was in abstract guilt only some degrees lower in infamy than the duellist who cultivated the murderous accomplishments of the rapier or the pistol to make sure the taking of his enemy's life.

It was remembered that in the year 1695 the press had been emancipated by the exclusion of the Licensing Act from the renewal of temporary statutes. Looking at the indecours, the cruelties, and the malignities perpetrated by men upon each other through the agency of a free press, it was not matter of wonder that a remedy was looked for in restraining or protective legislation. More than once the matter reached the practical importance of an item in the communications between the Crown and the Parliament. In a message of the 17th of January

¹ Swift's Works (ed. 1808), iii. 307, 319.

1712, dealing chiefly with the critical question of the general peace, "her Majesty finds it necessary to observe how great licence is taken in publishing false and scandalous libels, such as are a reproach to any government. This evil seems to be growing too strong for the laws now in force; it is therefore recommended to you to find a remedy equal to the mischief."¹

On the 12th of February the Commons by unanimous resolution announced, "That this House will effectually stand by and support her Majesty in all things recommended to them in her Majesty's most gracious speech from the throne; as also that they would upon that day se'nnight, in a committee of the whole House, consider on that part of her Majesty's message to the House of the 17th of January last, relating to the great licence taken in publishing false and scandalous libels." And here a note follows the resolution: "But the consideration of this matter was afterwards put off from time to time."²

Again, in March, the Commons lament, in addressing the queen, that "not only are false and scandalous libels printed and published against your Majesty's Government, but the most horrid blasphemies against God and religion; and we beg leave humbly to assure your Majesty that we will do our utmost to find a remedy equal to this mischief." Probably in few communities is the lampooner and the libeller so heartily denounced as by all that is worshipful and respectable in the British public; yet there is ever a shrinking reluctance to drag them out of the wordy sphere of warfare selected by themselves, driving

¹ Parl. Hist., vi. 1003.

² Ibid., 1091.

them from the resources of the tongue and the pen, to afflictive punishment.

On the 2d of June, however, there seemed to come a practical remedy. A committee of the whole House reported to the Commons "that the great liberty taken in printing and publishing false, scandalous, and infamous libels, creates divisions among her Majesty's subjects, tends to the disturbance of the public peace, to the increase of immorality, profaneness, and irreligion, and is highly prejudicial to her Majesty and her Government. 2d, That the want of a due regulation of the press is a great occasion of the said mischief. 3d, That all printing-presses be registered, with the names of the owners and their places of abode. 4th, That to every book, pamphlet, and paper which shall be printed there be set the name and place of abode of the author, printer, and publisher thereof. 5th, That no bookseller or other person shall sell or disperse any book, pamphlet, or paper to which the name and place of abode of the author, printer, and publisher shall not be set." It is added that "the Commons ordered a Bill to be brought in upon the said resolutions."¹

There seems to be no trace of such a Bill having existed; but again, at the close of the session, the queen's speech utters more condemnatory rhetoric, expressive of the royal displeasure, "at the unparalleled licentiousness in publishing seditious and scandalous libels. The impunity such practices has met with has encouraged the blaspheming everything sacred, and the propagating opinions tending to the overthrow of all religion and government. Prosecu-

¹ Parl. Hist., vi. 1141.

tions have been ordered; but it will require some new law to put a stop to this growing evil, and your best endeavours in your respective stations to discourage it."¹

The ordering of prosecutions seems to refer to some efforts to find a remedy in the existing laws, but we have only faint traces of the attempt, and nothing to show that it was successful.²

But the blow was dealt in another shape, not to be anticipated from these repeated and formidable threats. There was revealed to the Treasury a source of revenue, and the tax-gatherer was hounded on the pamphleteer. At this period the statutes for collecting the revenue had reached a condition of length, perplexity, and mixing up of incongruous topics that distinguished this department of legislation for more than a century afterwards. Thus the short enactment that as establishing "taxes on knowledge," and on other forms of reproach, was denounced down to the present generation, is buried in a mass of stamp, customs, and excise legislation, where readers influenced by casual curiosity are very unlikely to find it.³

The objects of the new tax are described as "all

¹ Parl. Hist., vi. 1173.

² Swift, in his "Journal to Stella," Oct. 24, 1712: "The Secretary, St John, has seized on a dozen booksellers and publishers into his messenger's hands;" and St John is cited as saying, "They had best, for their patron's sake as well as their own, be quiet. I know how to set them in the pillory, and how to revive people who will write them to death."—Cited Stanhope, Hist. from Peace of Utrecht, 171.

³ In the printed statutes of the reign of Queen Anne this Act fills 140 pages. Its title has been printed in some remarks on the growth of the statute law, as affording a slight glimpse into the complexities of the fiscal legislation of the day. See above, p. 215.

books and papers commonly called pamphlets," and "all newspapers, or papers containing public news, intelligence, or occurrences." The duty was to be, "for every such pamphlet or paper contained in half a sheet, or any lesser piece of paper so printed, the sum of one halfpenny sterling;" when larger than half, but not exceeding a whole sheet, the duty was a penny; and for every such pamphlet or paper being larger than one whole sheet, or not exceeding six sheets in octavo, or in a lesser page, or not exceeding twelve sheets in quarto, or twenty sheets in folio so printed, a duty after the rate of two shillings sterling for every sheet of any kind of paper which shall be contained in one printed copy thereof."

The duty thus laid on newspapers and pamphlets came into effect on the 29th of July 1712; and on the 19th we find Swift announcing in his "Journal to Stella, "To-day there will be another Grub, 'A letter from the Pretender to a Whig lord.' Grub Street has but ten days to live; then an Act of Parliament takes place that ruins it by taxing every half-sheet at a halfpenny." But a week's experience seems to have brought the avenger to his own door; and on the 7th of August he says, "Do you know that Grub Street is dead and gone last week? No more ghosts or murders now for love or money. I plied it pretty close the last fortnight, and published at least seven penny papers of my own, besides some of other people's: but now every single half-sheet pays a halfpenny to the queen. The 'Observator' has fallen; the 'Medleys' are jumbled together with the 'Flying Post'; the 'Examiner' is deadly sick; the 'Spectator' keeps up and doubles its price. I know not how long it

will hold. Have you seen the red stamp the papers are marked with?"

The stamp-duty on newspapers and pamphlets pleased no one. It was received with the objection usual to such remedies, that it aggravated the disease, since it hindered many worthy but not zealous people, who would have taught good sound views to their readers, from incurring the cost of publishing them; while desperate and malignant men were ready to pay for licence to vent their hatred. The evil passions that prompt men to scurrility and malignity were deeply seated in the nature of the public feeling of the day, however they got there. They lived on into other periods; and we approach the middle of the eighteenth century ere we find much modification of their symptoms. The quantity of rancorous matter coming under their notice seems indeed to have given a tone to those who have entered with keenness and enthusiasm into the politics of Queen Anne's reign, so as in some measure to distort the history of the period.¹

¹ It is not easy, for instance, to suppose one endowed with the benign temper and fine taste of the late Lord Stanhope, without something of the nature of external influence, speaking thus of Harley: "Robert Harley, Earl of Oxford, and at this time Lord Treasurer and Prime Minister, is one of the most remarkable examples in history, how it is possible to attain both popularity and power without either genius or virtue. . . . His letters at that period to Marlborough and Godolphin prove that he knew how to combine the most subtle schemes of malice with the most ardent professions of friendship. . . . He seems to have possessed in perfection a low sort of management, and all the baser arts of party which enabled him to cajole and keep together his followers, and to sow divisions amongst his enemies. He spared neither pains nor promises to secure adherents. He affected in every question a tone of forbearance and candour. But he was one of those inferior spirits who mistake cunning for wisdom. His slender and pliant intellect was well fitted to crawl up to the heights of power

While the law was acquiring and exercising powers of restraint on what was, generally speaking, the humbler grade of literature, it offered encouragement to loftier efforts by creating the kind of property now so well known as "copyright." Among the commentators on the *corpus juris* there were subtle doctrines about the disposal of the joint property when one wrote on another man's parchment or painted a picture on his canvas. The claims between an author, on the one side, and the printer or publisher of what he might write, on the other, were scarcely more distinct with us, until the passing, in the year 1710, of "An Act for the encouragement of learning, by vesting the copies of printed books in the authors or purchasers of such copies."¹ The right is limited to fourteen years, and it is conditional on the book being registered in Stationers' Hall. The Act, in its preamble, recites: "Whereas printers, publishers, and other persons have of late frequently taken the liberty of printing, reprinting, and publishing . . . books and other writings, without the consent of the authors or proprietors of such books and writings, to their very great detriment, and too often to the ruin of them and their families." Instead of the ordinary judges and justices of the peace, a special tribunal, apparently intended for securing learning as well as rank, is appointed for the protection of the new form of property. It consists of the Archbishop of Canterbury, the Lord

through all the crooked mazes and dirty by-paths of intrigue; but having once attained the pinnacle, its smallness and meanness were exposed to all the world."—Hist. of England from the Peace of Utrecht, i. 32-35.

¹ 8 Anne, c. 18.

Chancellor, the Bishop of London, the Chief Justices of the Queen's Bench and Common Pleas, the Chief Baron of Exchequer in England and in Scotland, the Vice-Chancellors of Oxford and of Cambridge, the Lord Justice-General and the President of the Court of Session in Scotland, and the Rector of the College of Edinburgh. Conditional to the creation of the copyright was a distribution of certain copies of the book—one to each of specified libraries. The libraries so endowed were each of the two English and each of the four Scottish universities; the Royal Library, the Library of Sion College, and the Advocates' Library in Scotland. Thus England received four, and Scotland five, copies of each copyright book. Before the passing of this Act, it was usual in the pirating, as it was called, of books, that those of authors living in England were reprinted without their consent in Scotland, and those of authors living in Scotland were reprinted in England. After the Act came in force all such reprinting found its way to Ireland, where the Act did not apply.

Having thus been led from some of the vices of the literature of the period to the efforts of the Legislature to accomplish correction and elevation, it is proposed to resume the brief notes of the distinguishing features of the intellectual characteristics of the period.

John Gay, born in the year of the Revolution, had published "The Shepherd's Week," and "Rural Sports." He had been a runaway apprentice—his father, who was poor, having been obliged to remove him from a half-finished education to find an early livelihood as a shopkeeper's assistant. He dedi-

cated his "Rural Sports" to Pope, who was so far gratified by the homage, that he zealously patronised the young author, and even brought him within the magic circle of the wits frequenting Button's Coffee-room. Gay's "Fables" carry to many people pleasant memories of the nursery and the schoolroom, where they lightened the weight of graver studies. When he ascended from the imaginary conversation of beasts to what he offered to the world as the real conversation of mendicants and thieves, his meteoric success became a marvel among literary achievements. The airs of the songs haunted London as if they were swept about by the wind; and fine ladies carried fans decorated with the scenes in the acting of "The Beggars' Opera." Whatever we may hold as to the merits of the piece, the idea centring in dialogues enriched with the slang of the degraded orders, was not new. A specimen of it was popular in London when Gay was at work on his, in the shape of Brome's "Jovial Crew."¹

There is a plot in the play, with the usual lovers and perplexed and blundering parents, and the beggars are reserved for a service somewhat akin to the chorus of old.

"Randal opens the scene. The beggars discovered at their feast. After they have scrambled awhile at their victuals, this song—

¹ "A Jovial Crew: or, the Merry Beggars. A Comedy, acted both at the Queen's Theatre, and the Theatre Royal, at the same time, with the Actors' names who played it at both houses: and after, upon the uniting both companies into one, in Drury Lane. Likewise all the songs, and a key to the Beggars' Cant. Written by Richard Brome, author of 'The Northern Lass.' London: printed for C. Brome, and sold by B. Bragg in Paternoster Row. 1708. Price one shilling and sixpence."

"Here safe in our skipper, let's cly off our peck,
And bowse in defiance o' th' harman-beck.
Here's pannum and lap, and good poplars of yarrum,
To fill up the crib, and to comfort the quarron.

Here's ruffpeck and casson, and all of the best,
And scraps of the dainties of gentry cofe's feast.
Here's Grunter and Bleater, with Tibb of the buttry.

For all this bene cribbing and peck let us then,
Bowse a health to the gentry cofe of the ken."

The "skipper" is the barn where they are safe from the "harman-beck" or constable. This last word is common slang of the present day in the form of "beak," but it has ascended from the constable to the magistrate. The "gentry cofe" who entertains them would now be called the gentry cove. He, named Oldrents, and his bosom friend Hearty, thus moralise on the scene:—

"*Oldrents*. Good heaven! how merry they are!

"*Hearty*. Be not you sad at that?

"*Old*. Sad, Hearty! no; unless it be with envy at their full happiness. What is an estate of wealth and power, balanced with their freedom, but a mere load of outward complement, when they enjoy the fruits of rich content? Our dross but weighs us down into despair, while their sublimed spirits dance i' th' air.

"*Hearty*. I ha' not so much wealth to weigh me down, nor so little, I thank chance, as to dance naked."

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know the nature of the performance that took the town by storm.

It is hard to say whether the poems of Thomas Parnell are now looked at by any one except inquirers after forgotten literature. But even within this century they were—especially “The Hermit”—read with interest and admiration; and there was a thrill of intense interest when the thief and murderer, on the sage denouncing him as a “detested wretch,” develops the angelic messenger administering the just punishments of the Deity—

“But scarce his speech began,
When his strange partner seemed no longer man;
His youthful face grew more serenely sweet,
His robe turned white and flowed upon his feet.”

Swift writes thus on the occasion of his publishing a poem that had but an ephemeral fame, called “Queen Anne’s Peace:” “I was at Court to-day to speak to Lord Bolingbroke to look over Parnell’s poem since it is corrected; and Parnell and I dined with him, and he has shown him three or four more places to alter a little. Lady Bolingbroke came down to us while we were at dinner, and Parnell stared at her as if she were a goddess. I thought she was like Parnell’s wife, and he thought so too. Parnell is much pleased with Lord Bolingbroke’s favour to him, and I hope it may one day turn to his advantage.”¹

Scotland was throughout our period signally deficient in vernacular literature. The phenomenon is easily traced to its cause. The investigators of early English texts have recently been finding the purest

¹ Journal to Stella, Feb. 19, 1719.

specimens in “The Bruce” of Barbour, and other works, written in the vernacular language of Scotland in the fourteenth and fifteenth centuries. The language of England, through a succession of generations, purified and strengthened itself. At last the groups of men of genius clustering around the throne of Queen Anne established a literary language which no one educated at a distance could utter. Fortunately Scotland handed over to England one of the most gifted of her sons, John Arbuthnot. He was the son of a northern laird who owned the estate of Arbuthnot, and carried the territorial dignity of the “that Ilk,” highly esteemed in Scotland. John studied at the University of Aberdeen near at hand, and whenever he had taken his degree in medicine he migrated to London, where he reached the head of his profession. He became so thoroughly English as to contribute to English vernacular literature the matchless and thoroughly English allegory of ‘Law is a Bottomless Pit,’ better known as ‘John Bull.’ Swift writes to Stella: “I dined with a friend in the city about a little business of printing, but not my own. You must buy a small pamphlet called ‘Law is a Bottomless Pit;’ and ‘The Pamphlet of Political Lying’ is written by Dr Arbuthnot, the author of ‘John Bull;’ ’tis very pretty, but not so obvious to be understood.”¹ It is odd that in the collection of Swift’s works where these sentences appear, ‘John Bull’ should be printed as if it had been written by Swift.

Scotsmen treating of science,—as David Gregory the astronomer—Sir Robert Sibbald, naturalist and

¹ Journal to Stella, 10th March and 12th December 1712.

archæologist—and James Anderson, archæologist,—addressed the world in Latin. Scotland did not participate in England's devotion to the literature of Greece; and the southern neighbour would say that Scotland was deficient in Greek. The Latin, by its usefulness, absorbed the learning of the period as the only medium of communication between the distant north and the European republic of letters.

Classical literature was sedulously cultivated throughout the reign of Queen Anne, containing as it did a generation of scholars trained in the school of teachers founded by the mighty and dreaded Dr Busby. There was in existence a book of great rarity, published at Oxford in 1485, being a translation from Greek into Latin. It led the way to the original Greek of the epistle of Phalaris, who had been governor of Agrigentum some five centuries before the Christian era, and was supposed to be a master of the Greek language in the period of its purity. A controversy on the question whether these letters were what Boyle, Atterbury, and some others maintained them to be, the genuine epistles of Phalaris the Greek, or were a comparatively modern fabrication, raged in the latter half of the seventeenth century, and came into our period as it was settling down into the conclusion that the great Grecian scholar, Richard Bentley, had proved the book to be spurious. To any one who has looked into this dead controversy, it is curious to note how the great scholar outrages pure idiomatic English in the criticisms that established his mastership over the Greek.

The wealth of classical learning dispersed through-

out this age was subject to the proverbial fate of all human blessings in carrying with it a neutralising defect. It called up the imagery of horrible vices, blazing in the face of day, what, in terms of an ancient aphorism, ought to remain buried in deep night. The disease infected our literature, in as far as the manners of the age were spoken of rather as if they resembled those that fell under the lash of Juvenal than in the tone appropriate to them; and a period of our national existence, impressing every one familiar with it that it was a very moral period, comes to us bedaubed with the dark colouring of specially profligate habits. It has been admitted that the light literature of the age was violent and malignant; and those who were furious and unscrupulous in the fight could annihilate an enemy by a mere classic nickname that called up the memory of a life full of horrors. It is due to Swift, in a balancing of his qualities good and evil, to note that he did not draw on the resources of this poisoned armoury. His filth and lubricity were all thundered out in plain English. There might have been others who could not easily find the way to such weapons, but Swift was a scholar. No one could have written his grotesque macaronics without a thorough command of the Latin language.

The art of the painter was never more scanty and degraded in Britain than at this period. The great houses were all aglow with the profuse "carnations" and the flowing draperies of the German Kneller and the Dutch Lely, cast into shadow by a mightier power when they happened to hang beside some masterpiece by the older painter Vandyke. Two considerable

native artists had shed some light through the obscurity of the preceding century,—William Dobson, and George Jameson of Aberdeen. Hudson, who was to be the master of Reynolds, was yet a boy.

The best British painter of the day was William Aikman, a Scotsman. He was in the prime of life during the reign of the queen, having been born in 1682, yet he was scarcely a feature of the age. He lived abroad till the year 1712, having indeed sold his paternal estate that he might travel on the money so obtained and study the pictures of the great artists; and he did not immediately on his return, or until some years afterwards when he migrated to England, find the employers not available among his impoverished countrymen of Scotland.

The artistic poverty of the age may perhaps be best measured by examining the productions of Sir James Thornhill. His aspirations were grand and majestic, as if he would unite the vehement life of Rubens with the divine graces of Raphael and Correggio. He could not be ridiculed, because, such as he was, he stood unrivalled—not like poor Haydon seeing Wilkie at the king's gate. Thornhill is perhaps best known by the good taste that made him welcome young Hogarth as his son-in-law. Hogarth himself was a youth seventeen years old at the end of our period. He was then an apprentice to a decorative engraver of silver plate and other metals, in Cranbourne Alley, and there, in scratching heraldic devices, he acquired some of the technical skill of the engraver. Living with his father in London, he had opportunities as he took his walks abroad to people his mind with figures expressive of character and

emotion. It was perhaps well for the culture of a genius so potent, so original, and yet so absolutely natural in its character as his, that he had no master who in its development might have touched it with pedantries or mannerisms. We know, however, one interesting element as to Hogarth's education, if we may so call it, in art. He was an admirer and for some time an imitator of the great French engraver, Callot. The decorative engraver seems to have been so far an engraver for the press, that his apprentice had an opportunity of engraving book-plates and decorated shop-cards. One of these for a jeweller in Ratcliff Highway has a couple of cupids or angels gracefully holding flower-wreaths, while there is a figure placed like the bearer in a heraldic blazon, that looks as if it had come out of one of Callot's engravings, having the characteristics of that artist, in the smallness, the correct drawing, and the gracefulness. From the plate itself there is an impression in 'Graphic illustrations of Hogarth from pictures, drawings, and scarce prints, in the possession of Samuel Ireland, author of this work.' In referring to Hogarth's partiality for the works of Callot, the author of the "Graphic illustrations" introduces the shop-card, saying,—“We are happy in having an opportunity of ascertaining the fact here alluded to, by the annexed copy of a print in which the style of Callot's engraving, particularly in the figure, is very strongly marked. I regret that the card is not perfect. The original was given to me in its present mutilated shape as an early performance of Hogarth's, by his friend the late Mr Bonneau, who received it from him as a very early produc-

tion."¹ Another book-card was for his employer and teacher, Ellis Gamble. It is heraldic, bringing in two caryatides as supporters of a shield, with a head of Mercury for a crest, the whole gracefully decorated with flowers and festoons, so as to leave the pretty little work of genius entirely free from heraldic stiffness.

There remains another relic of the period of his apprenticeship in a larger and more ambitious shop-card engraved for his master, who appears by it to be growing into a capitalist and enlarging his trade. Beneath a full-length figure of an angel with an olive-branch, he announces himself as "Ellis Gamble, goldsmith at the Golden Angel in Cranbourne Street, Leicester Fields—makes, buys, and sells all sorts of plate, rings, and jewels."

In the "Graphic illustrations," there is a small rude effort to produce a scene from the fashionable life of the day. It is the scene described by Pope—

"She said—then raging, to Sir Plume repairs,
And bids her beau demand the ravished hairs.
Sir Plume, of amber snuff-box justly vain,
And the nice conduct of a clouded cane,
With earnest eyes and round unthinking face,
He first the snuff-box opened, then the case."

The artistic effort is evidently boyish, and may possibly have been executed within our period, the author of the "Graphic illustrations" saying,—“I have every reason to suppose the very scarce print on the subject of the ‘Rape of the Lock,’ of which a tracing is here annexed from an original print in Lord Oxford’s

¹ Life, i. 447.

valuable collection, must have been one of his earliest productions, as that charming poem made its appearance enriched with the machinery of the sylphs, and in the year 1712."¹

The investigator of domestic life in the early years of the eighteenth century, owes an obligation to the young unfamous Hogarth in a faithful rendering of the costume of the period. This is conspicuous in the shop-ticket engraved for his sisters, Mary and Anne Hogarth, containing not only adult figures, male and female, along with children, but also the interior of the shop itself where the sisters sold "the best and most fashionable ready-made frocks, sutes of fustian, ticken, and holland-striped dimity, and flannel waistcoats, blue and canvas frocks, and Blue-coat boys' dresses; likewise fustians, white stripped dimities, white and stripped flannels in the piece." We find that the principal part of the male costume had advanced from the single-breasted coat—afterwards known as the dress-coat, or court-coat—to the broad coat, with horizontal cut skirt. The single-breasted coat narrowing downwards within two divisions, degenerated to the limp dress-coat of later times, dwindling almost to two points, giving to the garment the descriptive name of "swallow-tail." It was strangely preserved to us by two classes of wearers much the reverse of each other—footmen in livery, and members of the Society of Friends; and in this latter shape it seems now to have disappeared. While it existed, it was perhaps the best instance that could be found of anachronism in the French acceptance of the term, as being an

¹ Life, i. 4.

illogicality expressed in chronological inconsistency. It had been adopted when it was the least conspicuous of costumes, because it was what every one wore, but by its persistent use through many stratum of fashion it came to render the garb of the Quaker a distinguishing livery.

The female costume of the period, best seen perhaps in the figures of Queen Anne on the Great Seal, was peculiarly graceful, while as yet the circumference had not been expanded by the sack stretched on the hoop, as we see it so monstrously developed in Hogarth's "*Marriage à la Mode*." The hair is in the natural condition, the waist is laced within a stomacher often covered with jewellery, and the gown has ample enough material for flowing in graceful folds. Perhaps there never was a period when costume was less stiff and unnatural, or better adapted to the purpose of the artist, had he appeared to seize his opportunity.

Landscape-painting, so rich and prolific in the British school of later times, had no becoming representative in the reign of Queen Anne. There came into fashion, no doubt, stiff groups of ladies and gentlemen, with their children, walking well-dressed in trim gardens, or in the London parks with their stiff rows of trees, straight avenues, and stagnant ponds, executed by artists scarce worthy of remembrance. If this class of art had any merit, it was in a faint echo of the rich colouring and architectural precision of Canaletto. Through these merits it rescued from oblivion the glories of Vauxhall Gardens, in themselves an aggregate of all the arts—plastic,

architectural, vocal, and instrumental—that are capable of ministering to popular enjoyment. The existence of these humble artists, associated with the absence of nobler efforts in the rendering of natural scenery, brings up for reflection a curious contrast between the æsthetics of that age and of the present. The sense, faculty, or whatever it may be called, for the enjoyment of the grander and more elevating features of natural scenery, leaves scarce any trace that it had existed in the early part of the last century. To have found enjoyment in the scenery of '*The Lady of the Lake*,' or the other mountain districts in Scotland, would have exposed the discoverer to a suspicion of lunacy.

A few years later, when fortresses were built and roads made for the domination of the Highlanders, or at least keeping them out of mischief, it was the fate of a certain Captain Birt or Burt to be an exile in the mountains in the superintendence of these works, and he thought his sorrows were sufficiently bitter to be proclaimed to the world. The gift was acceptable for its lively descriptions of the manners and other characteristics of the people—and, in fact, he tells us more of the state of the Highlanders between Glencoe and the '45 than we shall find anywhere else. In the valleys now swarming with tourists, native and foreign, in their season, and where crowds of affluent English gentlemen enjoy their sporting lodges during winter, he mourns haplessly for the sunny amenities of Richmond Hill, and tells his neighbours with a warning voice—"I have often heard it said by my countrymen that they verily believed if an inhabitant of the south of Eng-

land were to be brought blindfold into some narrow rocky hollow, enclosed with these horrid prospects, and then to have his bandage taken off, he would be ready to die with fear, as thinking it impossible he should ever get out to return to his native country."¹ It is likely that where such emotions were expressed, a faithful rendering of the scenes giving occasion to them would not be welcomed.

From the dearth of landscape-art among ourselves, let us cast a glance abroad to find how far our wants contrasted with the abundance of others, and also how far there existed the means of drawing an inspiration in this class of art from the example of our neighbours. Rubens burst occasionally into landscape, taking over his restless brush, and bringing into scenes that belonged to nature and repose something of the vivacity he communicated to human and brute life. Among landscape-painters in general—Italian, French, German, and Dutch or Flemish—mountains, if they appeared on the canvas, were generally wafted off in the distance to soften down their ruggedness. So was it with Claude and Cuyt in their sunny skies, both so beautiful and so different from each other; and the exquisite touch of Hobbema in rustic figures, trees, and green lanes can scarcely be imagined in the treatment of rugged precipices. Poussin could give variety to his groups of revellers from the primeval court of universal Pan, by primeval forests and mountains, steeped in his own sunshine.

¹ 'Letters from a Gentleman in the North of Scotland to his Friend in London, containing the description of a capital town in the Northern country; with an account of some uncommon customs of the inhabitants; likewise, an account of the Highlands, with the customs and manners of the Highlanders,' vol. ii. p. 13.

Salvator, who affected the terrific, aided by the sublime, seemed to handle his rugged scenery as a fitting stage for the fierce freebooters he brought upon it. There was one great master in the painting of mountain scenery for its own sake—Jacob Ruysdaal. He was a Dutchman, and on the supposition that he never left his native country, much wonder and speculation have been wasted in the inquiry how he there became the greatest master in the art of painting mountain scenery. He might have found there the solemn gloom of cloud and shadow, and even the openings of heavenly blue, occasionally touched with a golden edge from the sun behind the clouds. But how did he find material in Holland for his precipices and cataracts? How even for the translucent azure that beautifies the glacier streams when they have sunk their mud? It was said—as some ardent students of German thought might put it—that he plunged into the unfathomable depths of his own individuality. Others supposed that he worked from models; but if stones served him for rocks and mountains—the difficulty of the aerial perspective being conquered—how was he to prepare his models of torrents and cataracts?¹ As little is known about his life, and the

¹ "In the pictures of Ruysdaal there is a grandeur of composition and a boldness of treatment that belongs to no other Dutch landscape-painter. He alone displays mountain scenery and foaming cataracts, which must have been idealisations in a great degree,—he could not have studied the grand features he depicts in the monotony of his own land, which some authors assure us he never quitted. It has been conjectured that he rambled to Guelderland and Westphalia; but allowing this, he must have exaggerated what he could see there to produce the noble mountains and boldly-dashing waterfalls he delighted to depict;" and in a note—"It has been asserted that Ruys-

evidence about his remaining in Holland all his days is only in the negative of his not being met elsewhere, we may rest assured that he went to the country not far off, where his peculiar genius would get prolific nutriment. In fact, his mountain scenes are thoroughly Norwegian, and any one who has indulged in the scenery of the Fiords recognises Ruysdaal's rendering of them as aptly as he recognises any expressive portrait of a friend. Were we dealing with the period when landscape art had extended to the scenery of the northern mountains, it would be easy to trace through it the influence of Ruysdaal's genius, and, notably, in Gainsborough, Richard Wilson, and Thomson of Duddingston.

In the department of the fine arts, architecture contributed to the age the beautiful cathedral of St Paul's. If it be not the grandest building in the world, it is certainly the most faultless. It is the doom of architecture to be the most liable of all the arts to supply a battle-field for angry disputes about the fashionable and the superseded. In the lighter fashionable revolutions, the expansive hoop is fairly driven out of sight by its limp substitute, clinging to the limbs as if it had been freshly dipped in water. The superseded novels find repose in the

daal constructed models to paint from, composed of small twigs and fractured stones, which he exaggerated into trees and mountains, and so composed his works."—*Homes and Haunts of Foreign Artists*, by Frederick William Fairholt, F.S.A., p. 215.

"On assure qu'il ne quitta pas le sol natal, et dès lors on s'explique difficilement, comment, né dans un pays tout à fait factice et nullement accidenté, il peut donner une idée aussi exacte des cascades et des ravins."—*Nouvelle Biographie Générale*, *voce* Ruysdaal.

shelves of collectors. Even pictures and statues may be shifted to unfrequented corners. But the superseded architecture remains to molest the eye educated to the forms fashionable in the generation. St Paul's was the crowning achievement of the Renaissance, and elderly people could feast their eyes on it with a shuddering remembrance of the shapeless barbarous Gothic of old St Paul's, scarcely redeemed by the symmetrical classical portico bestowed on it by Inigo Jones. Conspicuously beautiful among the fifty new churches in London, was that of St Martin's at Charing Cross, built by Gibbs of Aberdeen; but a cry arose that it was blemished by a spire—a symbol of Gothic barbarism. For the spire, it was pleaded that its details were not Gothic; and even though mounted on a tympanum and colonnade purely classical, it gradually found its way to admiration. He would have been a bold and wild dreamer who would have predicted to the age a Renaissance of Gothic. Yet it is clear that one of the greatest architects of the age had taken his tone from the forms of the Gothic. Vanburgh's buildings, much abused for their heaviness,—and eliciting the sentence—

"Lie heavy on him, earth, for he
Laid many a heavy load on thee,"—

have in their adjustment of towers and turrets much of the tone of the Gothic, while the details of that school are carefully shunned.

Political conditions gave opportunity for a revolution in the domestic architecture of towns. In London and other walled cities, the means of safety necessitated narrow streets and sometimes lofty buildings.

This feature is conspicuous in Edinburgh, ever open to danger from its nearness to the English borders. And since house-building was interrupted laterally, it expanded in the perpendicular street,—houses sometimes to the number of ten or twelve being raised on the foundation of one. When walls were no longer necessary, the form of the country-mansion found its way to the street. It is curious to note, as an exemplification of the force of habit, that country-houses were surrounded by ditches or moats after defence was unnecessary. In migrating to town the country-house brought the moat with it; and it may still be seen in the sunk area that contains the basement-floor. There are good specimens of the London architecture of Queen Anne's day in Queen's Square, Westminster.

A significant and pleasing feature of the age of Queen Anne, is the revival of the works of Shakespeare,—or it might be otherwise and perhaps more appropriately said, the acceptance of these works, by the reading portion of the people, as supreme in English literature. Their publication had heretofore been in some instances imperfect, and in others redundant in spurious matter, published in that ponderous folio shape whence it is inferred that purchasers are not expected to be numerous. The first of what are called "the modern" editions of Shakespeare's plays and poems, was published in the years 1709 and 1710, by Jacob Tonson, as edited by Nicholas Rowe, in seven volumes octavo. There was a second edition of this text in twelve duodecimo volumes, in 1714. The Register of Drury Lane Theatre, among

the manuscripts in the British Museum, lets us see that on their first appearance the achievements, destined to immortality, had the run of several successive nights so often gained by some ephemeral effort borne on the wings of a temporary fame by its concessions to the fashionable frenzy of the hour. The stage at that period was deemed somewhat of a scholar's occupation, owning such men as Betterton, who excited the warm eulogies of Addison for his mastery over the sublime and terrible; and he was supported by the beautiful and accomplished Bracegirdle, herself the victim of tragic wrongs, to accompany him as Desdemona or Ophelia.

But the theatre of the age was supported with a zeal exceeding prudence. In the 'Daily Courant' of the 18th of June 1706, the town was roused to mixed feelings by an advertisement stating that, "towards the defraying the charge of repairing and fitting up the chapel in Russel Court" "at the Theatre Royal in Drury Lane, this present Tuesday, being the Eighteenth of June, will be presented the tragedy of Hamlet Prince of Denmark, with singing by Mr Hughes, and entertainment of dancing by Monsieur Cherier, Miss Lambro his scholar, and Mr Evans. Boxes 5s.; pit 3s.; gallery 2s.; upper gallery 1s."

Since the days of the mysteries, piety and pleasure had ceased to be companions on the stage. Jeremy Collier's castigation of theatricals, though the work of a Nonjuror, was made their own by the Puritans, still a powerful body. Puritanism and High Church, with Low Church placidly looking on, seemed destined to a sharp contest, when, by the judicious wit

of Defoe, the fiery elements were extinguished in laughter. He tells the promoters of the project—

“Hard times, gentlemen, hard times these are indeed with the Church, to send her to the play-house to gather pew-money. For shame, gentlemen! go to the Church and pay your money there; and never let the play-house have such a claim to its establishment as to say the Church is beholden to her. . . .

“Now, Mr Collier, you are quite aground, and all your sarcasms upon the play-house, all your satires upon the stage, are as so many arrows shot at the Church; for every convert of your making, every one you have been the means of keeping from the play-house has so far lessened the Church stock, and tended to let the Church fall upon our heads. Never talk of the stage any more; for if the Church cannot be repaired nor fitted up without the play-house, to write against the play-house is to write against the Church; to discourage the play-house is to weaken the Church; and you rob the Church of the people’s bounty, which is one of the worst sorts of sacrilege.

“Nor is it unworthy our remark to see how all hands aloft are zealous in their calling for the Church. Can our Church be in danger? How is it possible? The whole nation is solicitous and at work for her safety and prosperity. The Parliament address, the Queen consults, the Ministry execute, the armies fight, and all for the Church; but at home we have other heroes that act for the Church. Peggy Hughes sings, Monsieur Ramandou plays, Miss Santlow dances, Monsieur Cherier teaches, and all for the Church. Here’s heavenly doings! here’s harmony! Your singing of Psalms is hurdy-gurdy to this music. And all

your preaching actors are fools to these. Besides, there’s another sort of music here. The case is altered. The clergy preach and read here, &c., and get money for it of the Church; but these sing, and dance, and act, and the Church gets money by the bargain. . . .

“I am afraid religion and the Church will have but a poor day of it; on the other hand, here will be room for strange distinctions. First, here you will see who are the best Churchmen, High or Low; for, are the players High Church, as most allow if they are of any Church at all, then a full or a thin house determines who are best friends to the Church. But then here is another misfortune, and I would have the ladies very careful how they brand themselves with the scandal of it: They that go to this play for the sake of the Church, certainly never go to the Church; if they did, they might find ways to give their money to better hands.

“In short, the observations on this most preposterous piece of Church work are so many, they cannot come into the compass of this paper; but if the money raised here be employed to re-edify this chapel, I would have it, as is very frequent in like cases, written over the door in capital letters:—

““This Church was re-edified anno 1706, at the expense and by the charitable contribution of the enemies of the reformation of our morals, and to the eternal scandal and most just reproach of the Church of England and the Protestant religion.

Witness our hands,

LUCIFER, PRINCE OF DARKNESS,	} Churchwardens.’” ¹
and	
HAMLET, PRINCE OF DENMARK,	

¹ Review, vol. iii. No. 73, June 20, 1706.

A book appropriated solely to an exposition of the intellectual condition and services of a given age and country, would not be complete without some account of its jurisprudence, its legislation, and its statesmanship. Where a part of the book, however, is a narrative of historical events, these, so far as they are accurately told, are the best account that can be given of the portion of intellectual effort referred to. Allied with these forms of intellectual service, there has come into existence, in recent times, a powerful department of study and active influence, known as "political economy." Its efficiency has been, not in creations, but in the extinction of creations, by the analysis of its logic proved to be fallacious or mischievous. The spirit that animated these creations came to its climax within our period in the trading doctrines that created the South Sea Company and the Darien Expedition; and the history of these affairs is the history of the opinions of the kind that political economy destroys. Efforts have been made to class political economy among the sciences, and as it deals with figures it would rank among the exact sciences. While, however, there is educated sympathy in the theory that workmen can increase their pecuniary means by limiting production, and on the other hand, joint stock companies pay dividends that cannot possibly be supplied from profits, and must have been drawn out of capital,—political economy, potent as it is, stands far from the severe simplicity of an exact science. It has, however, at its service two assistants that are, so far as they go, exact science—statistics and commercial book-keeping. No doubt false statistics are daily published, and

cooked accounts are issued. But in either process there is the machinery of exactness by the method long in use in book-keeping—the accurate balancing and carrying over. In the statistics of a court of justice, for instance, if we have so many cases to table at the beginning of the year, we add to these the litigations arising within the year, and deduct those concluded, carrying the balance over to the ensuing year. The taking of the census would be accomplished in this manner by taking the numbers as shown by the immediately preceding sentence, adding the births and immigrations of the intervening period, and deducting the deaths and migrations; but such an operation is so hopelessly complicated that we adopt the simple method of counting heads.

With these narrow exceptions, political economy is disturbed by violent contact, either in attachment or contest, with human passions, especially with that absorbing self-interest that convinces people of the entire beneficence of whatever brings gain to themselves; while the statesman who sees clearly the economic law, is often hindered by humanity from pursuing the cruel remedy that can only enhance the prosperity of the world by the sacrifice of certain victims. So it happens, that while the doctrines promulgated by William Paterson, as they have been already cited, are more in harmony with the prevailing doctrines of political and commercial economy than any other teachings of that period, his projects came to ruin through the self-interested passions of others; and even in the present age the French statesman is hampered when the peasant says, "It is my fate to cultivate beetroot; I can do nothing else;

and if you withdraw protection, I perish, with millions of my fellow peasants."

In the province of exact science the age was rendered illustrious by the potent genius—it might be almost said by the inspirations—of one man, Sir Isaac Newton, in his fluxions, decomposition of light, and laws of gravitation and acceleration of motion. But it was chiefly after the period of this reign, that the significance of the revelations in astronomy, to which the simple principles announced by the discoverer are a key, taught the world the real nature of the vast planetary system that appeared to surround it. It is due to the memory of Prince George of Denmark, that he fostered the efficient influence of Newton's discoveries by undertaking the cost of publishing the Greenwich observations. It was the fortune of his discoveries, in their absolute rule over the world, as contributions to exact science, that the more amply they were tested by real facts, and the more closely they were criticised or disputed, the more supremely did they come forth as the unvarying and indissoluble laws that hold rule throughout the universe. All who worked out his discoveries attested the absoluteness of the laws revealed in them. And here we have an example that the discoverer of latent laws is happier in the continued fame and influence of his discovery than the clever inventor who applies the powers of nature to some new mechanical end. It is the fate of him to be ever superseded by the new inventor, who, taking possession of all that he has done, carries it on into new devices that hide it out of sight.

Watt was a great inventor, but his noisy single-stroke engine is barbarous beside the subtle, silent, and potent steam machinery of the day; while every discovery of new worlds and systems is ever trumpeting the glory of the researches that opened up the vast heavens to the examination of the dwellers in this small obscure planet.

The science of geology is one of the triumphs of our own age, and future generations may perhaps say that its existence even among us was in its giant infancy. A naturalist of Queen Anne's period had, however, suggested a leading idea that served as a guiding star to investigators and classifiers. John Woodward, in his '*Natural History of the Earth*,' published in 1695, and republished in 1702, noted the fact of stratification. How the suggestion was received by the generation to whom it was announced, may be expressed in the definition of the leading scientific dictionary or encyclopædia of the day:—

"STRATA. Dr Woodward in his '*Natural History of the Earth*' observes—and that very truly—that the far greatest part of the terrestrial globe consists, from its surface downwards to the greatest depth we ever dig or mine, of several layers or strata of different kinds of earthy matter, lying one over another, without any regular order. This disposition of the earth into these strata had been before observed by Steno; but the observations and deductions that Dr Woodward made from them are wholly new, very numerous, and of great importance."¹ The sys-

¹ *Lexicum Technicum*; or an universal English Dictionary of Arts and Sciences, explaining not only the terms of art, but the arts them-

tematic diversification of the crust of the earth thus announced, involved its division into three prominent groups—the primitive unstratified rock of the great mountain ranges, the strata, and the subsidiary eruptive rocks that had burst through the strata; and these fundamental evidence have, ever since Woodward's suggestions, been subjected to busy and fruitful investigation. The weakness of the science is lax induction—a propensity to find simple and potent phenomena for the inequalities of the surface of the earth in an upheaval or eruption in one part, or a subsidence or depression in another. Its strength is in its inexhaustible resource for investigation and discovery. Within the boundary of geology is the science of palæozoic entomology, or the teaching of the stone matter within the several rocks that had once been alive either as animal or vegetable. The conjoint influence of the evolutions in organic life, and the varieties in the structure of the several strata where the specimens are found, here afford access to conclusions of great interest and importance to our knowledge of the structure of the earth.

selves. By John Harris, D.D., Secretary to the Royal Society. 2 vols. folio, 1710, *voce* "Strata."

INDEX.

- ABJURATION ACT, passing of, i. 4—its title, &c., 10.
 ———, Oath of, definition of persons required to take, i. 11.
 Act for a treaty with England passed, i. 168.
 Act of Security, the, i. 153, 154—correspondence regarding, 156
et seq.
 Act of Security repealed, ii. 17.
 Acts of Parliament, condition of the preparation of, iii. 216-218.
 Addison, Joseph, literary and social position of, iii. 243, 244.
 ———, his description of the Nonconformists, ii. 245.
 Admiralty, the complaints against, by traders, ii. 22—inquiry
 into by a committee of the Lords, 23—stories of impress-
 ment, 24, 30—the Admiralty's defence, 29—result of the in-
 quiry, 31.
 African Company and monopoly of the Slave Trade, iii. 218, 226
et seq.
 Aikman, William, a painter of the period, iii. 298.
 Alasco, John, ii. 334.
 Alcantara, Lord Galway's exploit at, ii. 164.
 Alicant, account of the siege and capture of, by General G6rge, ii.
 159 *et seq.*
 Alliance, Grand, the, i. 183.
 Almanza, battle of, ii. 168.
 ———, reference to defeat of the allies at, iii. 139.
 Anderson, James, archæologist, iii. 295.
 Anglesey, Earl of, invidious remark by, in Parliament, regarding
 Marlborough, iii. 95.
 Annandale, the, seizure of, in the Thames, by the East India
 Company, i. 310, 311—litigation regarding, and forfeiture of
 the vessel, 311.
 Anne, Queen, her accession, i. 2—her speech to the Privy Coun-
 cil, 6—tradition of Charles II. regarding, *ib.* note—her
 descent and kindred, 14 *et seq.*—her friendships, 27.
 ———, her coronation, i. 38 *et seq.*—and its cost, 52, note—

- statement by the Duchess of Marlborough regarding her conduct at the commencement of her reign, 56—her letter about the Episcopal remnant in Scotland, 101—gives her assent to the Act of Union, 344—visited by the "King of Spain," ii. 67—letter from Peterborough to, 132—touches for the evil, 202, 203, and note—her interest in Sacheverell's trial, 239—comparison of, with Queen Elizabeth, 240 *et seq.*—addresses presented to, at the conclusion of the Sacheverell trial, 294 *et seq.*—commencement of the quarrel between the Duchess of Marlborough and her, and their correspondence, iii. 54, 56 *et seq.*—interview between her and the Duchess, 60, 61—orders the promotion of John Hill to the command of the 2d Dragoons, 62.
- Anne, Queen, her correspondence with Godolphin previous to his dismissal from office, iii. 64—her interview with him, *ib.* 65—her letter dismissing him, 65.
- , her speech at the opening of Parliament, Nov. 1710, iii. 82.
- , her death, iii. 232-237.
- Antwerp, the key of the Netherlands, Marlborough's project for seizing, i. 252—possession of, by Boufflers, 253—and defeat of a Dutch force under Opdam, *ib.*—that officer's own account of the affair, 254-256—Marlborough's remarks regarding, 256, 257.
- Appeals from Scots Courts to House of Lords, iii. 209, 210.
- Arbuthnot, John, his place in literature, iii. 295.
- Architecture, progress of, during the reign, iii. 302-304.
- Ashby against Zouch. *See* Aylesbury Election Contest.
- Athlone, Earl of, relief of Nymeguen by, i. 189.
- Atterbury, Bishop, a believer in the Letters of Phalaris, iii. 296.
- Aylesbury Election Contest, the, i. 109—eminent men who took part in the discussion, *ib.*—quarrel between the Lords and Commons on the question, 111 *et seq.*—danger to the constitution averted, 121.
- BADAJOS, unsuccessful siege of, ii. 114, 115.
- Banking, origin of, i. 132—the problem solved by Holland, *ib.*
- Barcelona, capitulation of, ii. 127.
- , efforts of the French to recover, ii. 147 *et seq.*—relieved by Peterborough, 149 *et seq.*
- "Barrier fortresses," the, i. 180—Dutch troops in, withdrawn by Louis, and replaced with Frenchmen, *ib.*
- Bartholomew Fair, iii. 205, 206.
- Bavaria, the Electress of, her flight from Munich, i. 300—Marlborough's letter to his wife regarding, *ib.* note—compelled to disband the Electoral army, 308.
- , the Elector of, his position and character, i. 240, 241—chooses the French side in the war, 241.

- Bavaria, the Elector of, Marlborough's feeling against him, i. 283 and note—and designs with the view of crushing him, 284, 285.
- , capture of Ulm by, i. 259, 260—gratitude of King Louis for his services, 260—his gambling propensities, *ib.*—his meeting with Marshal Villars, 261, 262.
- , overtures of Louis for peace through, iii. 17.
- Belfast, the linen manufacture in, iii. 161.
- Belhaven, Lord, and Sir Alexander Ogilvie, scuffle between in Parliament, i. 150, 151—their appearance at the bar, and pardon, 152.
- , his speech on the Union question, i. 341 *et seq.*
- Benbow, Admiral, his action with the French squadron under Du Casse, iii. 108—is severely wounded, *ib.*—cowardice of his officers, *ib.*—issues a commission for their trial, *ib.*—two of them shot, *ib.*
- Bentley, Richard, and the Phalaris Letters, iii. 296.
- Berwick, the Duke of, joins Vendôme after the battle of Oudenarde, iii. 23, 25.
- Bisset, William, one of Sacheverell's chief assailants, ii. 276.
- Blackall, Offspring, ii. 263, 264—his character, by the Archbishop of York, 265—his controversy with Benjamin Hoadley, 267 *et seq.*
- Blackguards, origin of the term, iii. 192.
- Blenheim, preparations for the battle of, i. 289—forces on both sides, 290 and notes—description of the ground by Westerloo, 292, 294 and note—the battle, 295—surrender of the troops shut up in, 298—heavy losses on both sides, 299—first announcement of the battle in the 'Gazette of Paris,' 300, note—known also as the battle of Hochstadt, 302—blunders of the French commander at, *ib.* and note—tone of letters written from the field by British officers, 303—effect of the news of the victory in Britain, 304—thanksgiving for, in St Paul's Cathedral, *ib.*—poem by Addison in celebration of the victory, 306—and by Oldmixon, 307.
- Bolingbroke, Lord, his character, iii. 75—contrasted with that of Harley and Walpole, *ib.* 76—his early training, 77. *See* St John.
- Bonn, siege of, i. 250—reason why it must be taken, 251.
- Boufflers, Marshal, prepares for the defence of Lille, iii. 27—his capitulation, 30—superseded by Villars, 44.
- Brihuega, defeat of Lord Stanhope at, iii. 141.
- Britain, threatened invasion of, by the French, ii. 38—the invading fleet pursued by Sir George Byng, *ib.*—eludes him and reaches the Firth of Forth, 42—Defoe's remarks thereon, *ib.*—escape of the fleet, with the exception of one vessel, 43—preparations made to meet the landing of a French force, *ib.*
- , the military service of, contrasted with that of France, iii. 102, 103.

- British, historical conditions that had severed the, from the schools of skilled industry, ii. 330 *et seq.*
 Brome, Richard, his works, iii. 292, 293.
 Bromley, William, chosen Speaker of the House of Commons, iii. 81.
 Brown, Thomas, or Tom Brown, a wit of the period, iii. 202, 209, 248, 256.
 Browne, Sir Thomas, influence of his works, iii. 246, 247.
 Buchanan, George, ii. 315.
 Burgess, Daniel, characteristics of, ii. 244, 246, 247.
 Burgundy, the Duke of, countermands the Duke of Vendôme's orders at the battle of Oudenarde, iii. 22.
 Burnet, Bishop, his speech in the debate on the "Bill for preventing Occasional Conformity," i. 87, note.
 ———, his contribution to William, Duke of Gloucester's acquirements described, i. 20.
 ———, his experience of the Sacheverell mob, ii. 244—his remarks about its leadership and organisation, 250.
 Busby, Dr, influence of his teaching, iii. 296.
 Byng, Sir George, pursuit of the French invading fleet by, ii. 38, 43—captures one of the vessels, 43.
 CADIZ, expedition to, ii. 58, 59—plundering of the suburb of St Mary's, 60, 61, note—failure of the enterprise, 61—noticed in the queen's speech, 62.
 Calamy, Edmund, his curiosity about the printing of Clarendon's History, iii. 240.
 Camisards, the, ii. 342—their prophetic ravings, 343 *et seq.*—riot and bloodshed caused by, in the Cevennes, 345, 346—their adventures in London, where they make two converts, 347 *et seq.*—in danger from London mobs, 350, 351—three of them tried at the Queen's Bench, 351—go to Scotland, and there drop into obscurity, *ib.*
 Canada, danger to the British settlers in, from France, iii. 87, 88—our position and claims there stated by Penn, *ib.*
 'Carleton, Captain George, Memoirs of,' authorship of, ascribed to Defoe, ii. 171—various opinions regarding, 172 *et seq.*—conclusion against Defoe's authorship, 174—the book examined, *ib. et seq.*
 Casse, Admiral du, his action with the British fleet under Admiral Benbow, iii. 108.
 Cavalier, Jean, a leader of the Camisards, ii. 346, 347.
 Certe, attempted capture of, by a British fleet, ii. 302.
 Chamerland or Chamberlayne, Edward, i. 163, 164.
 Charles II., King of Spain, question as to his successor, i. 171, 172—his death, 178—and will, 179—important alteration made thereon by Louis XIV., *ib.*
 ———, Archduke, competitor for Spanish throne, ii. 66—becomes Emperor of Germany, iii. 101.

- Charles XII. of Sweden, Marlborough's visit to him, iii. 112 *et seq.*
 Church of England, anniversary services of the, ii. 179 *et seq.*
 Churches, fifty new, built in London, iii. 197.
 Churchill, John. *See* Marlborough, Duke of.
 Clarendon, publication of his History, and its influence, iii. 239-243—tamperings with the manuscript, *ib.*
 Classical literature, state of, iii. 296.
 Condé, Prince of, letter from Marshal Tessé to, ii. 283.
 Conformity, Occasional, Act against carried, iii. 212. *See* Occasional Conformity.
 Conventicle, Act against attendance in, by any public officer, iii. 212.
 Copyright Act, the, iii. 290.
 Coronation of Queen Anne, i. 38 *et seq.*—its cost, 52, note.
 ——— Oath, the, i. 48.
 Corporation Act, its requirements, i. 179.
 Coshers in Ireland, Acts for the suppression of, iii. 177.
 Costume of the reign, iii. 301, 302.
 Covenanters, parallel between the, and the Camisards, ii. 298, 299.
 Cutts, Lord, in command of the besieging party at the fort of St Michael, i. 221—his account of his own share in the success, 222, note.
 DAMAREE, DANIEL, his trial for high treason, ii. 289, 290.
 Darien colony, its establishment, i. 138—its misfortunes and ruin, 139 *et seq.*
 ——— Company. *See* Indian and African Company.
 Dauphin of France, death of the, iii. 230.
 Dawes, Sir William, Archbishop of York, Blackall's character described by, ii. 265.
 "Declaration," or "Test," the, i. 47.
 Defoe, Daniel, his description of the "English Protestant Dissenter," i. 69.
 ———, his pamphlet, 'The Shortest Way with the Dissenters,' described, i. 94, 95—tried for libel, and punished, 96—offers to reveal his accomplices, 97—memorandum by the Duke of Leeds regarding, 98, note.
 ———, his observations on the affair of the Worcester, i. 314-316.
 ———, his account of the Earl of Marchmont's reply to Lord Belhaven's speech on the Union question, i. 343, 344 and note.
 ———, his remarks regarding the French fleet's evasion of Sir George Byng, ii. 42.
 ———, his account of the settlement of the affair between the Scots merchants and the revenue authorities, ii. 52.
 ———, authorship of the 'Memoirs of Captain George Carleton' ascribed to, ii. 171 *et seq.*
 ———, his position in literature, iii. 256, 267.

- Denmark, Prince of. *See* George.
- Dissenters or "Nonconformists," three groups of, i. 61—Baptists, 64—Independents or Congregationalists, *ib.*—Presbyterians, *ib.* 65.
- , "English Protestant," the, described by Defoe, i. 69.
- . *See* Conformity, Occasional.
- Donauworth, on the Danube, operations of war at, i. 276.
- Drummond, Captain, commander of the *Speedy Return*, reported murder of him and his crew, i. 315, 319—the real facts, 320.
- D'Urfey, Tom, a popular author, iii. 256.
- Dutch, the, their trading policy, i. 226 *et seq.*—contrasted with that of the English, 230—their appeal to Britain for further aid, *ib.*—statement of their wrongs, *ib.* 231—their appeal successful, 233.
- EAST INDIA COMPANY, the, their seizure of the Scots Company's vessel *Annandale* in the Thames, i. 310, 311—litigation regarding, and forfeiture of the vessel, 311—clever seizure of the *Worcester*, by the secretary of the Scots Company, in retaliation, 312, 313—dark rumours regarding the crew of that vessel, 314—Defoe's observations thereon, 314-316—trial of Captain Green and fourteen of the crew for piracy and murder, 316, 319—Green and two others executed, 324—letter from Chancellor Seafield to Godolphin on the affair, *ib.*, note.
- Eckern, battle of, i. 253—Opdam's account of, 254 *et seq.*
- Edgar, the, a 70-gun ship, blown up in Portsmouth harbour, with great loss of life, iii. 90.
- Edmonston, Patrick, of Newton, his trial for high treason, ii. 44 *et seq.*
- Elections, Defoe on the dissipation and disorder at, iii. 260, 261.
- English and Dutch, their rivalry for supremacy at sea, i. 126—Navigation Act designed to crush the latter, *ib.*
- Episcopacy in Scotland, iii. 208, 212.
- Episcopal clergy, their address to the queen, i. 99.
- remnant in Scotland, the queen's letter to her Secret Council of Scotland regarding, i. 101.
- Eugene, Prince, of Savoy, joins Marlborough, i. 273—sent to protect the Rhine in the Low Countries, 275.
- , concentrates his force on Donauworth and the Schellenberg, i. 286—visits Marlborough's camp, 286, 287—their anxious discussion, 287—Marlborough's rapid march to join him, *ib.* 288.
- joins Marlborough before Oudenarde, iii. 21—opposes Marlborough's desire to march into France, 23, 25—in command of the besieging force at Lille, 28—is wounded there, 29—with Marlborough at Tournai, 36—and at Malplaquet, 46.

- Eugene, Prince, at the siege of Toulon, ii. 301.
- Evelyn, John, his account of the Great Storm, i. 106.
- Exchequer, the, mode of recording claims on, by tally, ii. 53 and note—transferred to Scotland, 55.
- Excise and customs, a commission of, appointed, ii. 53.
- FACIO, Mr. and the Camisards, ii. 349, 350.
- Fletcher of Saltoun, i. 54—his quarrel with the Earl of Roxburgh, 164, 165—divides with the Jacobites, 168.
- Forster, John, on Swift and Stella, iii. 274, note.
- Fouquières, the French military critic, his opinion on the Duke of Vendôme's position at Lille, iii. 26, 27.
- France, threatened invasion of Britain by. *See* Britain, threatened invasion of, by the French.
- , negotiations of, for peace, iii. 32 *et seq.*—its military revival, 42 *et seq.*
- , the military service of, contrasted with that of Britain, iii. 102, 103.
- Fraser, Simon, of Lovat, his connection with the "Scotch Plot," i. 326—his character and aims, 327 *et seq.*—his malicious conduct towards Atholl, 332.
- Free trade, Scotland's demand for, i. 129 *et seq.*—again repeated, 142 *et seq.*
- French prophets, the. *See* Camisards, the.
- refugees, the, ii. 330, 333 *et seq.*—protection afforded to, in England, 335, 336—their contributions to our productive industries, 330, 338 *et seq.*
- Froude, the historian, his reflections on the question of including Ireland in the Union of 1707, iii. 144, 145—and on the legislative enactments against the woollen trade in Ireland, 157, 158.
- GALWAY, Lord, his character as a soldier contrasted with that of Peterborough, ii. 158—his exploit at Alcantara, 164—resolves to march on Madrid, *ib.*—his attempt rendered futile, 165 *et seq.*—wounded at the battle of Almanza, 168.
- , assumes command of the army in Spain, ii. 112—besieges Badajos, 114—loses his right hand there, *ib.*
- , condition of his troops in Madrid, iii. 139—partakes in defeat at Almanza, *ib.*
- , inquiry into his conduct by the House of Lords, ii. 307 *et seq.*—his name not easily found in biographical dictionaries, 312, note.
- Gay, John, the poet, iii. 291.
- Geoffrey, Archdeacon of Monmouth, ii. 317, 318.
- George, Prince of Hanover, becomes immediate heir to the throne, iii. 230.
- George, Prince of Denmark, i. 16 *et seq.*

- George, Prince, his encouragement of Newton, iii. 304.
 —, his death, iii. 105—difficulties solved by that event, 106, 107.
 Gerard, Sir Samuel, Lord Mayor of London, dedication by Sacheverell of his "Gunpowder Treason Sermon" to, ii. 196.
 Gertruydenberg, the conference of, iii. 124.
 Gibbs, James, architect of St Martin's Church, iii. 303.
 Gibraltar, siege and capture of, by Sir George Rooke, ii. 75 *et seq.*
 —attempted recapture by the Spaniards, 81, 82—the situation described by Marshal Tessé, 83— anecdote of Sir John Leake, *ib.* 84—failure of the attempt, 84—preservation of, to the British, due to the Methuens, 85.
 Godolphin, Sidney, Lord, his character as Lord Treasurer, i. 35 and note—his portrait by Houbraken, 36.
 —, letter from Chancellor Seafeld to, on the Worcester affair, i. 324, note.
 —, letters from Ambassador Methuen to, regarding Lord Galway, ii. 112, note, 115—letters from Lord Peterborough to, 120, 130, 153 *et seq.*
 —, nickname of "Volpone" applied to, by Sacheverell, ii. 193—and by the lampooners, *ib.* note.
 —, letter from Marlborough to, declining the viceroyship of the Netherlands, iii. 16—and another on the state of affairs at the siege of Lille, 29.
 —, his correspondence with the queen previous to his dismissal from office, iii. 64—has an interview with her, *ib.* 65—her letter dismissing him, 65—and his reply thereto, *ib.* 66—his reflections on the occasion, 67 *et seq.*
 —, letter from the right hon. Richard Hill to, about the Marquis de Guiscard, iii. 81, note.
 —, letter from the Duke of Shrewsbury to, on our naval power, iii. 110.
 Goodwin, the Nonconformist, described, ii. 244, 245, note.
 Gorge, General, his account of the siege and capture of Alicant, ii. 159 *et seq.*
 Gothic architecture, mutations of taste in, iii. 302, 303.
 Grand Alliance, completion of the, i. 183—its objects, *ib.*
 —, Portugal accepted into, ii. 65, 69 and note.
 Greek, study of, iii. 296, 297.
 Green, Captain, commander of the Worcester, trial of him and fourteen of his crew for piracy and murder, i. 316, 319—execution of, and two others, 324—letter from Chancellor Seafeld to Godolphin on the affair, *ib.* note.
 Greenshields, Episcopal clergyman in Edinburgh, iii. 208, 209.
 Greenwich Observations, publication of, iii. 304.
 Gregg, William, proceedings against, for high treason, ii. 32 *et seq.*
 Gregory, David, astronomer, iii. 295.

- Guillame, Captain George, chased by French privateers, ii. 27.
 Guiscard, Marquis of, iii. 80—stabs Harley, *ib.*—is himself wounded, and dies in prison, *ib.*—letter from the right hon. Richard Hill to Godolphin about him, 81, note.
 HALLAM, HENRY, remarks by, on the changes produced in Europe by the Duchess of Marlborough and Abigail Hill, iii. 51.
 Harcourt, Sir Simon, his speech in defence of Sacheverell, ii. 224 *et seq.*
 Harley, Robert, afterwards Earl of Oxford, his character, iii. 55, 56, 70, 71, 74—Swift's letter regarding him, 73—is stabbed by Guiscard, 80—but recovers, 81.
 —, Secretary of State, ii. 36, 37—his resignation in consequence of the Gregg affair, 37.
 —, Governor of the Assiento Company for the monopoly of the slave-trade, iii. 224, 225—made treasurer, 80—removed, 232.
 Haversham, Lord, his speech on the state of the country, iii. 11, 12—Defoe's pasquinade on it, 12, note.
 Hedges, Sir Charles, letter from Ambassador Methuen to, regarding Lord Galway, ii. 114, 115.
 Heinsius, Pensionary, letter from Marlborough to, on the state of the country, iii. 13.
 Henley, John, characteristics of, ii. 248, 249.
 Hesse, Prince of, killed at the storming of Fort Montjuich, ii. 125.
 "High Church" and "Low Church" parties, distinction between, i. 77, 89 and note.
 Hill, Abigail, afterwards Lady Masham. *See* Masham.
 Hill, Jack, brother of Mrs Masham, the Duchess of Marlborough's kindness to, iii. 53—indignation of Marlborough at his promotion to the colonelcy of the 2d Dragoons, 62.
 —, as Brigadier-General, in command of the land-force in connection with the expedition to Quebec, iii. 89.
 Hoadley, Benjamin, ii. 266—his controversy with Offspring Blackall, 267 *et seq.*
 Hochstadt, i. 288—battle of, known also as the battle of Blenheim, 302.
 Hogarth, anecdotes of the youth of, iii. 298-301.
 Holinshed, Raphael, ii. 314, 315.
 Homilies, the, what, ii. 209—pleaded in defence by Sacheverell, *ib.*
 Hume, David, seeing and commenting on French soldiers, iii. 43.
 Hume and Smollett's History of England, ii. 323.
 IMPRESSMENT, incidents of, ii. 24, 30.
 Indian and African Company, Act passed by the Scots Estates for establishing an, i. 133—a means for effecting a union of

- the kingdoms, 134—William Paterson the soul of the scheme, *ib.* 135—his projects, 135—amount of capital proposed, 137—withdrawal of English subscribers, 136—establishment of the Darien colony, 138—its misfortunes and ruin, 139 *et seq.*
- Intellectual progress, chap. xx., iii. 258 *et seq.*
- Ireland, account of the condition of, during Queen Anne's reign, chap. xvii., iii. 143 *et seq.*
- , question of including, in the Union of 1707, iii. 143 *et seq.*—its early civilisation, 146 *et seq.*—rise of a school of art in, which spread through Scotland and over the Continent, 148 *et seq.*—the round towers of, 150—its rude hospitality, as depicted by Swift, 151, note—suppression of the woollen trade in, 153 *et seq.*—and linen manufacture substituted, 159 *et seq.*
- Irish statutes, method of preparing and passing, iii. 178-180.
- JAMES II. of England and VII. of Scotland, his death, i. 181—his son acknowledged as successor by King Louis, *ib.*
- Jekyll, Sir Joseph, his speech in the debate on Sacheverell's impeachment, ii. 211 *et seq.*
- Johnson, Samel, touched by Queen Anne for the king's evil, ii. 203.
- Johnston, John, Secretary of State for Scotland, his letter on the Union question, i. 347.
- Jones, Inigo, his banqueting-house at Whitehall, iii. 191.
- Joseph, Emperor of Germany, his death, iii. 99—reflections on that event, *ib.* 100—succeeded by the Archduke Charles, 101.
- Justices of the peace in Scotland, Act passed regarding, ii. 55.
- KEATING, GEOFFREY, his History of Ireland, ii. 328.
- King, Dr William, Archbishop of Dublin, Swift's life and character of, iii. 71, 72—Swift's letter to him regarding Harley, 73.
- King, William, one of Sacheverell's ablest champions, ii. 279 *et seq.*—confounded with William King, Archbishop of Dublin, 282.
- LACY, JOHN, and the Camisards, ii. 347 *et seq.*
- Latin, study of, ii. 296, 297.
- Law, John, of Lauriston, and his projects, i. 163, iii. 218.
- Leake, Sir John, anecdote of, at the siege of Gibraltar, ii. 83, 84.
- Libels, prevalence of, in the literature of the period, iii. 284, 289.
- Lichtenstein, Prince, Peterborough's opinion of, ii. 136.
- Liege, siege and capture of, i. 223.
- , besieged by Villeroi, iii. 4—the siege abandoned, 3, 4.
- Light, decomposition of, by Newton, iii. 304.

- Lille, Marlborough's preparations for the siege of, iii. 26—Marshal Boufflers' preparations for the defence, 27—the siege, 28, 29—surrender of the town and the citadel, 30—its results, 31—number of illustrious persons assembled to witness the siege, *ib.*
- Lindsay, David, tried and executed for high treason, i. 334, 335.
- Linen manufacture, the, establishment of, in Ireland, iii. 159 *et seq.*—principally falls into the hands of Scotsmen, 160 *et seq.*
- Literary property, Act creating, iii. 290.
- London, notices of, in Queen Anne's reign, chap. xviii., iii. 184 *et seq.*
- , the autumn exodus from, iii. 204-206.
- , domestic architecture of, iii. 303, 304—St Paul's Cathedral as a work of art, iii. 302.
- Louis XIV. of France, i. 171 *et seq.*—his obligations under the treaty of the Pyrenees, 173—his aggrandising policy, 174—his recognition of James II.'s son as king of the British dominions, 173, 181—important alteration made by, on the King of Spain's will, 179.
- , his withdrawal of the Dutch troops from the "barrier fortresses," and substitution of Frenchmen, i. 180.
- , war proclaimed against, by Britain, i. 191—his attempt to secure the Dutch, 192.
- , his determination to carry the war into Germany, i. 258.
- , his project of besieging Vienna, i. 264 *et seq.*—his forces for that purpose, 266.
- , his action on hearing of the storming of the Schellenberg, i. 286.
- , his negotiations for peace through the Elector of Bavaria, iii. 17—Marlborough's opinion regarding them, 18—the queen's answer thereto, 19.
- Louis, Margrave of Baden, joins Marlborough, i. 273—his character and career, 274—arrangement between, and Marlborough, as to the command-in-chief, 274, 275.
- "Low Church" and "High Church" parties, distinction between, i. 77, 89 and note.
- MACKENZIE, Sir GEORGE, of Tarbat, his views on the Union question, i. 145, 146.
- Maclane, Sir John, and the Queensberry plot, i. 331, 334.
- Mahon, Port, project of seizing, ii. 129—its capture by General Stanhope, 170—afterwards taken by Spain, 171.
- Mahony, M., the commandant of Alicant, story of Peterborough in connection with, ii. 159.
- Malplaquet, features of the country around, as seen from the Belvedere at Mons, iii. 45—present appearance of the village, 46—position of Villars at, 47—the battle of, 48, 49—mixed character of Marlborough's forces at, 48—religious ceremony

- previous to the battle, 49—opinion of the military critics of the day on Villars' tactics at the battle of, *ib.* 50.
- Marlborough, Duke of, Chesterfield's opinion regarding, i. 31, note—Evelyn's description of, 34.
- , in command of the British contingent, i. 206—his character, *ib. et seq.*—how he became commander of the allied force, 209 *et seq.*—besieges Venlo, 220, 222—and Roermond, 222, 223—and Liege, 223.
- , sets out for England, i. 234—adventure on the way, *ib.* 235—receives the thanks of Parliament, and is created Marquis of Blandford and Duke of Marlborough, 235—death of his only son, 236—his honours settled on his daughters, *ib.*
- , again with his army in the Netherlands, i. 250—his designs regarding Antwerp, 252—project checked, and his remarks thereupon, 256, 257—returns to England, 257.
- , again in Germany, i. 267—his plan of operations, 268—movements of his army, 270—his swift decision, 271—his letters to his wife, 269, 272—joined by Prince Eugene of Savoy and Prince Louis of Baden, 273—arrangement between, 274.
- , determines to storm the Schellenberg, i. 278—desperate nature of the assault, *ib.* 279—its success, 280—his loss, *ib.*—his feeling against the Elector of Bavaria, 283 and note—his designs with the view of crushing the Elector, 284, 285.
- , his interview with Prince Eugene, i. 286, 287—the anxious discussion, 287—his rapid march to join the Prince, *ib.* 288—expects to occupy Blenheim, 289—but disappointed, *ib.*—preparations for the battle, *ib.*—the camp and its observances, *ib.* 290—forces on both sides, 290 and note—description of the scene by Westerloo, 292, 294 and notes—the battle, 295—French troops shut up in Blenheim, 296, 297—their surrender a relief to Marlborough, 298—his opinion of the victory, 299—honours conferred on him, 308.
- , his diplomatic negotiations with Charles XII., iii. 112 *et seq.*—his visit to the Court of Berlin, 118—and to the Elector of Hanover, *ib.*
- , his project of entering France by the Moselle, iii. 1—checked by Villars at Sierck, 3, 4—marches upon Ramillies, *ib.*—position of the French there, 5—the battle of Ramillies, 6, his letter to Pensionary Heinsius on the state of the country, 13—selected to be Viceroy of the Netherlands, 14—adored by the Dutch, 15 and note—his letter to Godolphin declining the proffered honour, 16—his opinion regarding the proposals of Louis for peace, 18—joined by Prince Eugene, and their troops concentrated in the valley of the Scheldt, 21—his position at Oudenarde, *ib.*—the battle of Oudenarde, 22—his strong desire to march into France, 23

- et seq.*—but is opposed by Eugene, 23, 25—his letters to Godolphin, *ib.* 29—his tactics previous to the siege of Lille, 26—his forces, 28—takes the command of the covering army at the siege, *ib.*—commencement of the siege, 28—his uneasiness at the condition of affairs, 29—Eugene's wound throws the conduct of the siege on him, *ib.*—abortive attempt to intercept his supplies, 30—surrender of the town, and of the citadel, *ib.*—his views anticipatory of the war policy of France, 36, 37—is seized with fever, 37—invests Tournai, 38—siege and capture of the town, 39—and of the citadel, 40, 41—the battle of Malplaquet, 48, 49—mixed character of his troops at the battle, 48—his neutral attitude during the quarrel between the duchess and the queen, 61—his indignation at the queen's promotion of Hill to the command of the 2d Dragoons, 62—threatens to resign his commands unless Mrs Masham is dismissed, *ib.*—reluctantly assents to the promotion of Hill, 63—his overthrow resolved on, 93, 94—invincible remark regarding him in the queen's speech, 95—and by the Earl of Anglesey, *ib.*—his reply thereto, *ib.* 96—charges brought against him by the commission, 98—his letter to the commissioners, *ib.*
- Marlborough, Duke of, his early career, ii. 305—anecdote of, 306, note—his remarks regarding the inquiry into the conduct of Lords Galway and Tyrwley by the House of Lords, 308, 309.
- , powers imparted to him by King William, i. 182, 183—the Grand Alliance the fruit of his diplomatic skill, 183.
- , sent as ambassador to Holland, i. 191.
- Marlborough, Duchess of, her kindness to Abigail Hill (Mrs Masham) and her relations, iii. 52, 53—interview between the queen and her, 54—her reflections on Abigail's marriage, 54, 55—commencement of the quarrel between the queen and her, and their correspondence, 54, 56 *et seq.*—her interview with the queen, 60, 61.
- Masham, Mrs and Lady, her connections, iii. 52—kindness of the Duchess of Marlborough to her and her relations, *ib.* 53—her appointment to an office in the queen's household, 53—reflections on her marriage by the Duchess, 54, 55—Marlborough threatens to resign his command unless she is dismissed, 62.
- , letter from, and casual notices of, iii. 234, 235.
- Medina, Sir Solomon, his charge of bribery against Marlborough, iii. 97, 98.
- Mendicancy, Defoe on, iii. 261, 262.
- Methuen, John and Paul (father and son), the former ambassador to Portugal, ii. 69, 73—their unmerited obscurity, 84—their negotiations with the King of Portugal and the "King of Spain," and services rendered to Britain, 85 *ad fin.*—their diplomatic correspondence, ii. 112, note, *et seq. pass.*

- Methuen Treaty, the, ii. 69 *et seq.*
 Montjuich, Fort, storming and capture of, by the British, ii. 124 *et seq.*
 —, recaptured by the French, ii. 148.
 Muscovite ambassador, arrest of the, for debt in London, iii. 119, 120—difficulties produced thereby, 120 *et seq.*—arrest and prosecution of the offenders, *ib.*—Act passed for preserving the privileges of ambassadors, 122, 123; note—and a copy, gorgeously bound, sent to the Czar, 123.
 NAVIGATION Act of the Protectorate, Scotland included in, i. 127—excluded in that of the Restoration, *ib.*—her remonstrance, *ib.*
 Navy, the British, its unsatisfactory condition, iii. 107 *et seq.*
 Netherlands, the war in the, Europe divided into two camps by, i. 237—the situation described, *ib. et seq.*
 "New Party," the, or Squadrone Volante, in Scotland, i. 344.
 Newspapers, stamp-duty on, iii. 288.
 Newton, Sir Isaac, his discoveries, iii. 304, 305.
 Nicholson, Colonel, settles in Nova Scotia, and founds the town of Port Royal, iii. 88.
 Nicolson, Bishop, his Historical Libraries, ii. 318, note, 319, 302 and note.
 "Nonconformists," or Dissenters, three groups of, i. 61, 64, 65—English, described, 68 *et seq.*
 —, the, described by Addison, ii. 245—characteristics of Goodwin, 244, 245, note—of Daniel Burgess, 244, 246, 247—of John Henley, 248, 249—their churches wrecked by the Sacheverell rioters, 249 *et seq.*
 Nonjuring clergy, the, i. 76.
 Norris, Sir John, Admiral, extracts from his papers regarding defects in the administration of the navy, iii. 111, note.
 "Not proven," verdict of, question as to its retention in Scots law, ii. 47, 48.
 Nova Scotia, Colonel Nicholson settles in, and founds the town of Port Royal, iii. 88.
 Nymeguen, its importance to the Dutch, i. 184, 188—an object of cupidity to robber Powers, 184—description of, 185, 186—attempted attack on, by Marshal Boufflers, and relief of, by the Earl of Athlone, 189—Lord Cutts's account of his part in its relief, *ib.*—also Captain Robert Parker's account, 190, note.
 OCCASIONAL CONFORMITY, contest regarding, i. 78 *et seq.*—introduction of a bill to prevent, 86—its preamble, *ib.*—ultimately dropped, 87—again carried in the Commons, but lost in the Lords, *ib.*—speech by Bishop Burnet on, *ib.* note—again introduced, 89—carried in the Commons and sent up to the

- Lords, where it was again lost, 91—impulse given to the controversy by Defoe's pamphlet, 'The Shortest Way with the Dissenters,' 92—its effect on ecclesiastical parties, *ib.*—the pamphlet described, 94, 95. *See* Conformity.
 Ogilvie, Sir Alexander, and Lord Belhaven, quarrel in Parliament between, i. 150, 151—their appearance at the bar, and pardon, 152.
 Oldmixon, John, his 'Pastoral Poem on the Victories of Schellenburgh and Blenheim,' 307, note.
 Opdam, a Dutch officer, his defeat at Eckern, i. 253—his account of the affair, 254, 256—Marlborough's remarks regarding, 256, 257.
 Ormond, Duke of, in supreme command of the expedition against Spain, ii. 58.
 Oudenarde, formation of the country around, iii. 21—forces on both sides at, 22—battle of, *ib.*
 Oxford decree, the, ii. 258—House of Lords orders it to be burnt along with Sacheverell's sermons, *ib.*
 Oxford, Earl of. *See* Harley, Robert.
 PAINTING, condition of the art of, iii. 297, 300.
 Palatines, migration of, and planting in Ireland, iii. 180, 182.
 Palgrave, Sir Francis, ii. 325, 329.
 Pamphlets, stamp-duty on, iii. 289.
 "Pannel," etymology of the word, ii. 47, note.
 Parker, Captain Robert, his account of the relief of Nymeguen, i. 190, note.
 Parker, Sergeant, his speech in the debate on Sacheverell's impeachment, ii. 219 *et seq.*—opinion of Burnet regarding it, 220 *et seq.*—of Tindal, 221—and of Arthur Mainwaring, *ib. et seq.*
 —, his demand for judgment on Sacheverell, ii. 255, 256—his concluding observations, 260.
 Parliament, English, dispute between the two Houses of, regarding the Aylesbury Election case, i. 111 *et seq.*
 — of the United Kingdom, meeting of the first, ii. 1—preservation of the English organisation and forms, 2 *et seq.*—national peculiarities, 7, 8—conflict of laws, 9 *et seq.*—Act of Security repealed, 17—Scots Privy Council abolished, and other changes effected, 19 *et seq.*
 — of the Harley and St John Government, iii. 81—William Bromley chosen Speaker, *ib.*—the queen's speech at the opening of, 82—debate on the address in reply, *ib.* 83—reference therein to the "Pretender," 83—the late Ministry attacked for their conduct of the war in Spain, 84—inquiry as to how far the commanders had done their duty resolved on, *ib.*—conclusion arrived at, 85—protests by the peers, *ib.* 86.
 —, the, of Dec. 1711, invidious remarks regarding Marl-

- borough in the queen's speech at the opening of, iii. 95—and also by the Earl of Anglesey, *ib.*—Marlborough's reply thereto, *ib.* 96.
- Parliament, Scots, of 1703, a disorderly one, i. 150, 151—outbreak between Lord Belhaven and Sir Alexander Ogilvie, *ib.*—brought to the bar of the House, and pardoned, 152—Acts passed by, 162, 163.
- of Ireland, position of, iii. 178, 180.
- Parliament, Acts of, method of preparing, iii. 214, 218.
- Parnell, Thomas, the poet, iii. 294.
- Partition treaty, the, concluded by representatives of France, England, and Holland, i. 176 and note.
- Paterson, William, his connection with the Indian and African Company, i. 134 *et seq.*—founder of the Darien colony, 138—its calamities and failure, 139 *et seq.*
- Patronage, ecclesiastical, history of, in Scotland, 210, 211.
- Peace, negotiations for, iii. 103 *et seq. pass.*
- Pedro, King of Portugal, joins the Grand Alliance, ii. 65, 69 and note.
- Peers, the creation of twelve, iii. 93.
- Penal laws in Ireland against adherents of the Church of Rome, iii. 169.
- Penn, William, noticed, i. 64—his communication to Godolphin from Defoe, 97.
- , his statements of our position and claims in the northern regions of America, iii. 87, 88—receives a gift of territory there from the Crown, 91—forms a code of laws for the government of Pennsylvania, *ib.*—some of which are rejected by the Privy Council, 92.
- Periodicals, stamp-duty laid on, iii. 298
- Peterborough, Earl of, commander-in-chief of the army in Spain, ii. 117—his characteristics contrasted with those of Marlborough, *ib.*—his project of seizing Madrid thwarted, 118—his letter to Godolphin, 120—urged by the "King of Spain" to attack Barcelona, 121—along with the Prince of Hesse, storm and captures Fort Montjuich, 124 *et seq.*—capitulation of Barcelona to, 127—Marlborough's letter to him on the event, 128—his letter to Godolphin, 130—Horace Walpole's description of him, 131—his letter to the queen, 132—and to Stanhope, 133—his triumphal entry into Valencia, 134 *et seq.*—his opinion of Prince Lichtenstein, 136—his tactics, and correspondence concerning the war, *ib. et seq. pass.*—effects the relief of Barcelona, 149 *et seq.*—his conduct as a naval officer, 153 *et seq.*—his character as a soldier contrasted with that of Lord Galway, 158—captures Alicant, 159—his own account of his misfortunes, 161 *et seq.*—he returns home, 163—Swift's verses on him, *ib.* note—his impetuosity and generosity, 166, 167.

- Peterborough, Earl of, statements by, at the inquiry into the conduct of Lords Galway and Tyrrawley by the House of Lords, ii. 307.
- Phalaris, controversy on the letters attributed to, iii. 296.
- Philip of France, Prince, as a competitor for the Spanish crown, ii. 66.
- Pope, Alexander, his social position, iii. 244, 245—his translations of the Homeric poems, 245, 246—his attack on Lord Harvey, 284.
- Privateers, French, facilities for their operations, ii. 26—Captain George Guilleme chased by, 27.
- Pyrenees, treaty of the, i. 173.
- QUAKERS, description of, i. 61 *et seq.*
- , anachronism of costume of, iii. 302.
- Quebec, expedition to, iii. 88—land-force in connection with, under the command of Brigadier-General Hill, 89—strength of the expedition, *ib.*—reaches Boston, and receives an augmentation of troops, but no provisions, *ib.*—disastrous termination of the expedition, 90.
- "Queen Anne's Bounty," i. 52 *et seq.*
- Queen's Square, specimens of domestic architecture in, iii. 304.
- RAMILLIES, the country around described, iii. 5—position of the French and the allies at, *ib.*—the battle of, 6—its results, *ib.*—and triumphant proclamation following thereon, 7.
- Ranke, Leopold von, his History of England, ii. 327.
- Rapin the historian, ii. 313 *et seq. pass.*—materials for his History of England, 314 *et seq.*—its value, and the impulse it gave to Tindal, 322, 324 *et seq.*—valuable portraits in the work, 324.
- Rapparees, Irish Acts for the suppression of, iii. 176.
- Refugees, their influence in the land of their adoption, ii. 303.
- Revenue, attempt to defraud the, under the Union Act, ii. 49, 50—vessels with foreign merchandise sent to London, 50—seized by the custom-house officers, *ib.*—conclusion of the affair, 52.
- 'Review,' a periodical conducted by Defoe, iii. 256, 267.
- Roach, Captain, his impressment of seamen, ii. 24, 30.
- Roermond, siege of, i. 222, 223—Cohorn, the Dutch engineer at, 223.
- Rooke, Sir George, commander of the English fleet in the joint expedition against Spain, ii. 58—siege and capture of Gibraltar by, 75 *et seq.*—at the battle of Malaga, 79, 80—at the siege of Toulon, 300.
- Round towers of Ireland, the, iii. 150.
- Rouvigny, De. See Galway, Lord.

Roxburgh, Earl of, quarrel between, and Fletcher of Saltoun, i. 164, 165.
 Rushworth, John, his Historical Collections, ii. 321.
 Russia, her attitude during the negotiations for peace, iii. 112—
 not admitted to the Grand Alliance, *ib.* 119.

SACHEVERELL, GEORGE, dedication by Henry Sacheverell of his Assize sermon to, ii. 197.

Sacheverell, Henry, his family and education, ii. 181 *et seq.*—specimens of his literature, 181, note—his character, 183 and note—his "Gunpowder Treason Sermon," entitled 'The Perils of False Brethren,' 180, 186 *et seq.*—its dedication to Sir Samuel Gerard, Lord Mayor of London, 196—his Assize sermon, entitled 'The Communication of Sin,' 197 *et seq.*—its dedication to his kinsman, George Sacheverell, &c., 197—House of Commons resolves to impeach him, 199—issues raised by the articles of impeachment, 200—reasons for impeachment, 201—discussion of great constitutional questions, 204 *et seq.*—four bishops speak against him, 230 *et seq.*—only one speaks in his favour, 234—his defence, *ib. et seq.*—preparation of Westminster Hall for the trial, 238—processions, *ib. et seq.*—the queen's interest in the case, 239, 241—his state progresses, 242 *et seq.*—riots in connection therewith, 243, note, 244, 249 *et seq.*—Burnet's experience of the mob, 244—its dispersion by the Guards, 253—Sergeant Parker's demand for judgment, 255, 256—the vote, 256—the judgment, 257—contest of etiquette between the Speaker and Black Rod, *ib.* note—observations regarding the punishment, 259—effects of the trial, 260, 261—parting blow from the Commons, 262—notice of the affair by Wodrow, 263, note—and by numerous pamphleteers, 273—their personalities, and imputations against Sacheverell's scholarship, *ib. et seq.*—William Bisset one of the most conspicuous of his assailants, 276 *et seq.*—Dr William King one of his foremost champions, 279 *et seq.*—poetic anthology of the occasion, 286 and note—three of the rioters tried for high treason, 287 *et seq.*—estimate of the gains and losses which resulted from the trial of Sacheverell, 290 *et seq.*—he has no historical vindicator, 293—addresses to the queen at the conclusion of the affair, 294 *et seq.*

St James's Park, sport of the fowler in, iii. 198.

St John, Henry. *See* Bolingbroke, Lord.

Salmon in the Thames, iii. 197, 198.

Sanitary arrangements in London, iii. 197, 198.

Sarah, Duchess of Marlborough, her power in Court and Council, i. 28, and note—statement by, in reference to the conduct of the queen at the commencement of her reign, 56—her use of the word "Tories," 57.

Savoy, Duke of. *See* Victor Amadeus.

Schellenberg, the, described, i. 276, 277, note—storming of, 278 *et seq.*—losses on both sides at, 280—medal struck by the Dutch in commemoration of the event, 282 and note.

—, action of King Louis on hearing of the storming of, i. 286.

Schomberg, Duke of, his military incapacity, and recall from his command of the army, ii. 108 *et seq.*

Schombergs, the, ii. 307.

Sciences, the exact, progress of, iii. 304, 305.

"Scotch Plot," the, i. 326 *et seq.*—Fraser of Lovat's connection with, 326—its failure, 332— inquiry into, by the House of Lords, 333.

Scotland, introduction of monumental sculpture into, from Ireland, iii. 149, note.

—, Episcopacy in, iii. 208, 212.

Scots Company, the, seizure of their vessel Annandale by the East India Company, i. 310, 311—litigation regarding, and forfeiture of the vessel, 311.

Scots Privy Council abolished, ii. 19 *et seq.*

Scots, sects among the, i. 66, 67.

Seatoun, Archibald, Laird of Touch, his trial for high treason, ii. 44 *et seq.*

Sects, various, in Scotland, i. 66, 67—champions of the Covenant, 67.

Session, Court of, appeals from, to House of Lords, established, iii. 209, 210.

Shovel, Sir Cloudesley, his account of his share in the battle of Malaga, ii. 79, note.

—, at the siege of Toulon, ii. 300—his death, 302.

Shrewsbury, the Duke of, appointed lord chamberlain, iii. 64—his letter to Godolphin on our naval power, 110.

Sibbald, Sir Robert, naturalist, iii. 295.

Slave-trade, monopoly of the, obtained by Britain at Treaty of Utrecht, iii. 226, 227.

Sophia, Duchess of Hanover, Act declaring her next in succession to the crown, i. 23, 24.

South Sea Company, origin of the, iii. 224 *et seq.*—directors of the Assiento contract for monopoly of the slave-trade, iii. 224, 225.

Spain, joint expedition against, under the command of the Duke of Ormond and Sir George Rooke, ii. 58—attack on Cadiz, and its failure, 59-61—attack on the Spanish fleet of the Indies in Vigo Bay, 63, 64—its results, 64.

—, disasters to the allies in, iii. 138 *et seq.*

"Spain, King of," his visit to the queen at Windsor, ii. 67—account of, by an eyewitness, 67, 68—and by Burnet, 68, note.

—, urges Peterborough to attack Barcelona, ii. 121.

- "Spain, King of," a prisoner in Barcelona, ii. 147 *et seq.*
 Spanish crown, the King of Portugal's share in the negotiations regarding the succession to the, ii. 65—the rival claimants for, 66.
 ——— monarchy, territories accumulated under, i. 170, 171.
 Speedy Return, the, rumoured murder of her captain and crew, i. 315, 316—the real facts, 320.
 Stamp-duty on newspapers, iii. 289.
 Stanhope, Brigadier, Peterborough's letter to, ii. 133—his seizure of Port Mahon, 170.
 ———, Lord, his defence of Brihuega, iii. 141—forced to surrender, *ib.*
 Statutes, the preparation of, iii. 214-218.
 Stella and Swift, iii. 268, 274.
 Stirling, Archibald, Laird of Carden, his trial for high treason, ii. 44 *et seq.*
 ———, Charles, Laird of Kippendavie, his trial for high treason, ii. 44 *et seq.*
 ———, James, Laird of Keir, his trial for high treason, ii. 44 *et seq.*
 Storm, the Great, i. 103 *et seq.*—Evelyn's account of, 106.
 Streets, the, of London, iii. 189.
 Swift, Jonathan, estimate of his literature and its influence, iii. 267, 284.
 ———, his conduct to Stella and Vanessa, iii. 268 *et seq.*, 274, 279.
 ———, his life and character of Dr William King, Archbishop of Dublin, iii. 71, 72—his letter to the archbishop regarding Harley, 73.
 ———, his verses on Peterborough, ii. 163, note.
 ———, his description of an Irish feast, iii. 151, note.
 Tessé, Marshal, in command of the French at their siege of Gibraltar, ii. 82—his letter to the Prince of Condé describing the situation, 83—at the siege of Badajos, 115.
 "Test," or "Declaration," the, i. 47.
 Test Act, definition of the, i. 78.
 Thames, River, condition of the, iii. 197, 198.
 Thornhill, Sir James, as a painter, iii. 298.
 Tindal, Nicholas, translation of Rapin's History of England and its continuation by, ii. 322 *et seq.*—its value and place among our histories, 324 *et seq.*
 "Tories," meaning of the word as used by the Duchess of Marlborough, i. 57.
 ———, Irish Acts for the suppression of, iii. 176.
 Toulon, siege of, ii. 300, 301—its abandonment, and disastrous results to the British navy, 301, 302.
 Tournai, investment of, by Marlborough, iii. 38—siege and capture

- of the town, 39—strength of the citadel, 40—its capture, 41.
 Trained-bands of London, the, iii. 199.
 Treason laws, Scots, Act for readjustment of the, ii. 55, 56.
 Treaty of Union. *See* Union, Treaty of.
 Tyrawley, Lord, inquiry into his conduct by the House of Lords, ii. 307 *et seq.*
 ULM, capture of, by the Elector of Bavaria, i. 259, 260.
 Union of Scotland with England, King William's message to the Commons regarding the, i. 125.
 ——— Commission of, 1702, i. 141, 142—Scots demand union with open trade, 142 *et seq.*—negotiations terminate, 147.
 ——— conference, condition proposed by Scots Commissioners at, i. 310—reply of the English thereto, *ib.*
 ———, Treaty of, appointment of Scots and English Commissioners for adjustment of the, i. 335, 336—proposals put forth by both sides, 336 *et seq.*—the question debated in the Scots Parliament, 341—speech of Lord Belhaven on, *ib. et seq.*—and reply thereto by the Earl of Marchmont, 343, 344—excitement throughout Scotland, 345—the vote, 346—policy of the English Government regarding, *ib.*—the queen's speech, 347, 348—the articles discussed in the English Parliament, 348 *et seq.*—receives the royal assent, 350.
 Utrecht, Treaty of, commencement of the negotiations, iii. 124—representation of the Commons, *ib. et seq.*—stipulations of the treaty, 133 *et seq.*
 VAGRANCY and mendicancy, iii. 193.
 Valencia, Peterborough's triumphal entry into, ii. 134 *et seq.*
 Vanburgh, his style of architecture, iii. 303.
 Vanessa and Swift, iii. 278, 279.
 Vendôme, the Duke of, as a military commander, iii. 20—his aims, *ib.*—at the battle of Oudenarde, 22—his orders countermanded by the Duke of Burgundy, *ib.*—joined by the Duke of Berwick, 23, 25—opinion of Fouquières on his position at Lille, 26, 27—disobeys the orders of the Court of France, 27—his plan for intercepting Marlborough's supplies, 29, 30.
 ———, defeats Stanhope at Brihuega, iii. 141.
 Venlo, siege of, i. 220, 221—Cohorn, the Dutch engineer at, 221—Lord Cutts at, *ib.*—his account of his own share in the success, 222, note.
 Victor Amadeus, Duke of Savoy, his kinship with the house of Bourbon, i. 242 *et seq.*—chooses the side of the allies in the war, 246.
 Vigo Bay, the Spanish fleet attacked and destroyed there, ii. 63, 64.

- Villars, Marshal, his successes in Germany, i. 262—his passage of the Rhine, 263.
 —, checks Marlborough at Sierck, iii. 2—his defence of Tournai, 38, 39—his position at Malplaquet, 47—the battle of Malplaquet, 48, 49—is wounded, 48.
 —, opinions of the military critics of the day on his tactics at the battle of Malplaquet, iii. 49, 50.
 Villeroi, Marshal, Liege besieged by, iii. 4—the siege abandoned, 3, 4.
- WALPOLE, ROBERT, rise of, and contests with Bolingbroke, iii. 70, 76.
 —, Horace, his description of Peterborough, ii. 131.
 War proclaimed by Britain against the King of France, i. 191—number of troops provided by Britain, 193—and by the Empire, *ib.*—the recruiting, 197 *et seq.*
 Ward, Edward, a popular author, iii. 200, 256.
 Warwick, Countess of, and Addison, iii. 245.
 Westerloo, his description of the field of Blenheim, i. 292-294 and note.
 Wharton, Earl of, Swift's character of, iii. 283.
 Whitehall, interior of, iii. 191.
 William the Third, death of, i. 1—estimate for his funeral, 2, note.
 —, his message to the Commons regarding the union of Scotland with England, i. 125.
 —, his last great act of statesmanship, i. 182, 183.
 William, Duke of Gloucester, his precocious capacities, i. 19—Bishop Burnet's contribution to his acquirements described, 20—his illness and death, *ib.*—his portrait by Kneller, *ib.* note.
 Willis, Francis, and the Sacheverell rioters, ii. 254, 255.
 Wodrow, notice of the Sacheverell affair by, ii. 263, note.
 Woollen manufacture, the, suppression of, in Ireland, iii. 153 *et seq.*
 Worcester, the, clever seizure of, by the secretary of the Scots Company, i. 312, 313—dark rumours regarding the crew of, 314—Defoe's observations thereon, 314-316—trial of the captain and fourteen of the crew for piracy and murder, 316, 319—the captain and two others executed, 324—letter from Chancellor Seafield to Godolphin on the affair, *ib.* note.

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